THE ADVANTAGES OF THE SUCCESSION OF THE HOUSE of STEWART TO THE CROWN of *Great Britain* DEMONSTRATED:

Wherein many curious Particulars relating to that Family are contained; with ſeveral Anecdotes of the Pretender and his Son, during the Rebellions in 1715, and 1745. never before publiſhed.

Very fit to be bound up with the Portait of Æneas and his two Sons.

Quæ tanta inſania cives.
——Ulla putatis,
Dona carere dolis Danaum——
——Aliquiſque malo fuit uſus in illo.

By a *TRUE BRITON.*

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II.

TO

JOHN SHARP, Eſq;

SOLICITOR to the Right Honourable the BOARD of TREASURY.

SIR,

THOUGH plain truth requires little patronage, yet it needs the aſſiſtance of the Good; as it is always ſure to feel the reſentment of the Bad.

That candid and humane conduct which you have ſhewn in the variety of proſecutions carried on againſt the rebels, the tenderneſs and kind concern you expreſſed for unhappy men, whoſe country called aloud for juſtice, diſcovered a character ſo amiable, that

poſterity will admire it: and the ſtrict fidelity to your royal maſter, and to the whole commons of *Great Britain*, in bringing their treaſons to light, will fix the moral maxim, that true virtue is to feel for others, without the degeneracy of weakneſs when a community is in danger.

As the following ſheets take notice of the difference betwixt the reigns of *popiſh bigots* and PROTESTANT KINGS; betwixt the days of a *Jefferies* and a HARDWICKE, with an honeſt view to inculcate loyalty to the BEST of SOVEREIGNS, and love to the happieſt conſtitution, I have ventured to prefix your NAME, that if any thing of mine could laſt, another age may know at what *æra* to ſearch for precedents of what is valuable or worthy of imitation.

I am, SIR,
your moſt obliged, moſt
obedient and humble
Servant,
C. L.

PREFACE.

SINCE the following eſſay was finiſhed, I have been furniſhed with new matter, which ſhould not have been noticed at this time, had not the Jacobites *been buſy, to graſp at a pretended breach of the union.* —— *The affair I mean, is the bill which has now happily paſt both houſes of parliament, and lies ready for the royal aſſent, relating to the* Heritable Juriſdictions in Scotland.

As to which, I do aſſert, and am willing to adduce my authorities, that theſe juriſdictions *were not originally* hereditary, *but* elective, *in proof of which, let the reader conſult biſhop* Leſlie, *a papiſt, but a candid and unſuſpected writer, who expreſly proves the chieftanſhips, clanſhips,* &c. *to have been originally conferred by vaſſals on the moſt deſerving.*——*He lived in the days of the unfortunate* Mary *queen of* Scots, *was her agent at the courts abroad, and wrote his hiſtory* De Rebus Geſtis Scotorum, *wherein the above is contained, at the time when the celebrated memorial*

morial of the ſtates of Scotland *was preſented to queen* Elizabeth, *wherein they vindicate their depoſing queen* Mary, *and aſſert the ſame doctrine with biſhop* Leſlie *of the clan-ſhips being elective, ſo that here is the concurring teſtimony of both parties, which tho' diſagreeing in principle and intereſt, yet unite in this particular, and leave no room to doubt of the truth.*

But I will go further, and give an inſtance declared legal by the Scots *parliament, the original record of which is in the hands of a very ingenious gentleman, and may be ſeen; it is as late as the reign of king* James V. *of* Scotland, *when the vaſſals of the clan of* Macintoſh *met and ſolemnly depoſed their cheiftain, and elected in his place the baſtard brother, to whom they ſwore obedience, and this* act *of the* Macintoſhes *was declared to be agreeable to law and the antient conſtitution.*

And ſtill let me obſerve, that in ſome of the Æbudæ or weſtern iſles, the furtheſt removed from the continent, and which of conſequence may be ſuppoſed to retain moſt of the old forms, they at this day elect their Phylarchi, *and that they did ſo in the reign of king* James V. *is evident from the above named* memorial *preſented to queen* Elizabeth.

Thus it appears, that heritable juriſdictions is a thing unknown to the antient Scots. *An oppreſſive meaſure, introduced by ignorance, and the tricks of prieſtcraft; deſtructive of liberty, and without law or warrant, enſlaving a people who had a right to elect and call their chiefs to account.*

But it has been pleaded, that although all the above may be true, yet theſe juriſdictions *are by the* union *of the two nations, veſted unalterably, in the poſſeſſors; and it is a breach of that* ſolemn act, *which is look'd on as the baſis of the happineſs of both people.*

To this I reply; 1ſt, If there was no original Right, the Act of Union could neither diveſt the Crown, *or rob the* People *of what was originally theirs. 2dly, Suppoſing it could, there can be nothing framed in the beſt and moſt ſound policy, but what circumſtances may ſubject to alteration.—I ſhall, for inſtance, ſuppoſe, that the Parliament ſhould paſs a law, veſting the perpetual command of the army in the* Duke of Cumberland, *and his heirs; would not the Legiſlature, if this truſt was to be turn'd into Tyranny, aboliſh it. The caſe is the ſame. But 3dly, In this affair there is no breach of the Union, as the conſent of the parties is obtain'd by full and free repreſentatives, both of the* Engliſh *and* Scots. *And 4thly, There is a power given by the Parliaments of both Nations, to make what alterations in that treaty ſhall from time to time, be conducive to the good of* Great Britain.

From theſe conſiderations it will appear no wrong has been done, and no incroachment made. But ſtill let us reflect on the advantages of ſuch an Act.---- Were not theſe ſlaviſh dependencies the cauſe of their rebellions? Were not the poor taught to believe more in their Chiefs than in their King or their God---Do they not invoke their names at this day, and account it a moſt

ſacred

ſacred oath--- Is the taking off tenures, which, while they continued, were productive of ſo much blood-ſhed, robberies, horror and rebellion, and giving an equitable ſatisfaction to the proprietors, an injuſtice? Was not Ireland *in the ſame ſituation, till the laws againſt* Cothering *were made and put in execution? Has not that Kingdom ſince, improv'd in its manufacture, riches, happineſs, and peace? Were not theſe dependencies in that Kingdom, and the ſlaviſh ſubmiſſion they were taught, the cauſe of the murder of* 300,000 *Proteſtants, of a cruel rebellion, and of all the miſchiefs felt till the treaty of* Limerick, *after the* Glorious Revolution. *And will not like cauſes produce the like effects. May we not expect to ſee induſtry take place of idleneſs amongſt the* Highlanders ----- *Manufactures eſtabliſhed, grounds improved, the natives civilized and taught humanity----It muſt be ſo, by ſmall encouragement, which, no doubt, the Legiſlature will ſoon find the means to give.*

THE

ADVANTAGES

OF THE

SUCCESSION

OF THE

Houſe of *Stuart*, &c.

THAT liberty which, as *Britons*, we enjoy, of writing the undiſguiſed ſentiments of the mind, when founded on truth and juſt reflection, is the reaſon why this little treatiſe ventures abroad. Reverence is due to the character of kings; but is not to be extended to ſuch a degree, as to palliate vices, which render nations unhappy.

The late efforts of a reſtleſs faction, diſguiſed under the ſpecious name of their country's friends, have at laſt broke their bounds; and the effects of the many pamphlets, written with a ſeeming freedom, have ſhewn the malevolence of their tendency, by creating not diſſatisfaction with a miniſtry, but diſaffection to the beſt of kings, and the happieſt conſtitution. Theſe poiſon'd pamphleteers, who ſpued their venom almoſt every day in the week, having proper inſtru-

ments to recommend their veracity, the pill was ſwallowed down; well-meaning ſubjects became diſſatisfied; and then wiſh'd for a change. A rebellion begun, and I know hundreds that have acknowledged they took arms becauſe they were perſuaded the liberties of *Great Britain* were extinguiſhed, and nothing but force and a new family could reſtore them. The favourite pieces which they quoted were the *Old England Journal*, wrote by *Jeffrey Broadbottom*; the *advantages of the* Hanover *ſucceſſion*; the *caſe of the* Hanover *troops*, &c.

It was impoſſible to reflect on ſuch mighty deluſion, and fatal miſtakes, without a ſincere compaſſion to miſguided men, led into error by banditti pens, and into ruin by the murderers of the conſtitution.

I imagined ſome gentlemen of repute, in pity to their blindneſs, would ſet matters in a juſt light; but this has been look'd for in vain; which is the reaſon that this eſſay is publiſhed, deſigned to repreſent the advantages of the *Stewart* ſucceſſion to the crown of *Great Britain*, thro' four ſucceſſive reigns; and likewiſe to compare them with the effects of the late happy revolution.

And I will lay it down as a principle, that a nation is happy under a king who maintains its civil and religious rights, ſtudies its intereſt with regard to foreign powers, protects its trade, and makes the known laws of the land the conſtant rule of his actions. The *Britiſh* nation muſt be happy when its monarch acts in ſuch a manner; and allows the repreſentatives of the people to conſult, debate, and give advice, when every tranſaction is fully weigh'd, the ſenſe of the nation given, publick money accounted for, and parliaments enacting or repealing laws with his majeſty's aſſent.

By

By this maxim we ſhall guide ourſelves in a review of the advantages *Great Britain* has received from the *Stewart* family.

And to ſhew that the ſame principles prevail in the pretended race of that abjur'd houſe, we ſhall inſtance a few particulars of the young Chevalier's conduct during his expedition into *Scotland*.—We propoſe further to compare the extoll'd lenity of the *Stewarts*, in caſes of rebellions and inſurrections, with the popular cry of cruelty raiſed on the execution of about ſixty notorious rebels.

'Tis hoped the beſt purpoſes will be anſwered, if the author ſhall be happy enough to draw the picture near to the original.

To begin the review, it will be neceſſary to obſerve, that the idle exploded opinion of hereditary indefeaſible right, which is both the religious and political creed of the *Jacobite* faction, and is to them, what infallibility in the pope is to papiſts, the great nonſenſical conundrum on which the reſt of their principles depend: It will, I ſay, be neceſſary to obſerve its riſe in *Great Britain* and the opinion of our anceſtors about it.

To reaſon on the ſubject is perfectly vain; the opinion is new, and the ſyſtem ſo incoherent, that it deſerves ridicule rather than argument.—Where is this indefeaſible right placed? How do you know it? Has one family particular divine lineaments? Or is it like holineſs in ſtone walls? Does it go further than the outward traces of the ſkin? Has the Almighty enforced virtue? and will he damn the unbelievers in the divine right of a tyrant or a murderer?——From reaſon there is no plea, and from the ſacred records there is ſtill leſs: Was not *Cain* the elder brother rejected, and the ſacrifice of *Abel* accepted? Was not *Jacob* preferr'd to *Eſau*? Was not the regal dignity amongſt the *Jews* firſt conferr'd on one from the youngeſt tribe; and on its

extinction there, was the tribe of *Reuben* the eldeſt preferr'd? No: The houſe of *David* was of the tribe of *Judah:* Was not the divine *Solomon* the youngeſt of that monarch's children?——In the ſucceſſion is there regard had to the elder? Did not our Saviour pay perfect ſubmiſſion, and teach it, to the laws of the *Roman* emperor, one who had neither hereditary indefeaſible right, or the conſent of that once free people, to ſupport his title? Did the apoſtles rebel, or teach chriſtians to do ſo, becauſe the eldeſt branch of the emperors did not ſucceed? But 'tis idle to argue, that the ſun ſhines, when we ſee him.

Theſe opinions, which have occaſioned ſo much bloodſhed, had their riſe in the reign of king *James* the VI*th*, of *Scotland*, and I*ſt* of *England*; and I'm afraid their origin is but too much to be aſcribed to the *performance of the ingenious* Buchanan in his book *De Jure Regni apud Scotos*; for, as he ſtretched the principles of liberty too far, it became immediately the court mode to deſtroy them altogether.

About that period the ſucceſſion to the crown of *England* was dubious; queen *Elizabeth* had politically wav'd declaring her ſucceſſor, and the whole nation was in ſuſpence; a party was form'd to oppoſe the *Scots* king, which afterwards coſt ſome of them their heads: In this ſituation, the only way to promote the intereſt of king *James*, was to gain the clergy; they wrote, preach'd, pray'd, and were preferr'd; the common people were taught the divine right of kings, more than the creed; that monarch was himſelf not a ſcholar, but one who affected it; he ſat judge of the performances of the *literati*, and, without a mixture of the hereditary and indefeaſible, the writer was ſure to be overlook'd. His capacity was little, tho' a perpetual dabbler in politicks; he deſtroy'd preſbytery, becauſe they allowed liberty; he cut off the richeſt of his ſubjects, becauſe they diſdained

diſdained to cringe; he encouraged the *Engliſh* clergy who fawn'd, becauſe he thought they were friends to his belov'd plan of arbitrary power: He made himſelf ridiculous abroad, by endeavouring to ſtrengthen the ſucceſſion by popiſh alliances; he betray'd the proteſtant intereſt; to oblige *Spain* he wrote to the pope, and ſtil'd him *Holy Father*; in ſhort, he liv'd deſpis'd abroad, hated by his parliaments, and courted alone by the high-flown clergy, whoſe power he rais'd in proportion as they flattered his *divine right*. That weak and deſpicable reign laid the foundation of the civil wars which followed, and the miſeries that attended his unhappy ſon; and from that unluckly period, I believe I ſhall not be far wrong, if I date that monſter which now is called a *Tory* or a *Jacobite*. For that no ſuch doctrine was taught or prevail'd in *Great Britain* in the early days of liberty, when princes were reſtrain'd from tyranny and encroachments, is pretty evident; and we need only to read hiſtory, to find how mean an opinion our brave and free anceſtors entertained of non-reſiſtance, paſſive obedience, and hereditary indefeaſible right. The glorious checks they gave to ambitious kings; their noble and ſucceſsful efforts in the cauſe of liberty, ſhew that the antient *Britons* would and durſt be free.

But, as I incline to deal in facts, I will give inſtances of that prince's conduct, which inſtead of many, will ſhew his principles; and affection to liberty.

The parliament had reſolved on a humble remonſtrance againſt the match betwixt his ſon, afterwards king *Charles* the firſt, and the *Infanta* of *Spain*; which the king having got notice of, ordered Sir *Thomas Richardſon* to forbid them to ſend it; and, in a letter which that gentleman delivered, the king ſays,

" That

" That ſome fiery and popular ſpirits had been " embolden'd to debate publickly of matters far " above their reach and capacity, tending to our " high diſhonour and breach of prerogative royal; " theſe are therefore to command you to make " known in our name unto the houſe, that none " therein ſhall preſume henceforth to meddle with " any thing concerning our government, or deep " matters of ſtate, and namely, not to deal with " our deareſt ſon's match with the daughter of " *Spain*, nor to touch the honour of that high king, " or any other of our confederates; and alſo not " meddle with any man's particulars, which have " their due motion in our ordinary courts of juſtice; " and you ſhall aſſure them in our name, that we " think ourſelves able to puniſh any man's miſde- " meanours in parliament, as well during their ſit- " ting as after, which we mean not to ſpare here- " after, upon occaſion of any man's inſolent be- " haviour there."

And when the commons on this humbly petitioned for the free exerciſe of their antient privileges of debating in parliament, they were anſwered, " That their privileges were deriv'd from the " grace and permiſſion of his anceſtors and him- " ſelf." Add to this, the twenty-five articles exhibited by *Bancroft* and others, call'd *Articuli Cleri*, wherein they aſcribed an abſolute power to the king; and Dr. *Cowel* at the ſame time publiſhed his *Interpreter*, wherein he maintains; 1ſt, That the king was *Solutus a Legibus*; 2d, That the king might enact laws without a parliament, and by his own abſolute power; and 3dly, That it was a favour to admit of the conſent of the ſubjects in giving ſubſidies. *Blackwood* publiſhed about this time likewiſe his famous piece, the deſign of which is to prove, that we are all ſlaves, by reaſon of the conqueſt.

I don't queſtion but theſe are ſufficient inſtances of the black and pernicious deſigns on *Britiſh* liberty, authorized by the king, promoted by the high-flown clergy, and declar'd law by a few fawning barriſters.

And as to that prince's concern for the reform'd religion; after the moſt ſolemn declarations, he aboliſh'd preſbytery. We have, under his name, a very obliging letter, wrote from *Scotland* to pope *Clement* VIII. and another on occaſion of the *Spaniſh* match: But, to put the matter beyond doubt, I ſhall here ſubjoin Mr. *Eachard*'s account, an unſuſpected writer *on one ſide*.

" He tells us, that while the treaty was depend-
" ing about the *French* match, the archbiſhop of
" *Embrun* was ſent over in favour of the *Roman* ca-
" tholicks in *England*, and to ſound king *James* about
" his thoughts of the *Romiſh* religion: He came *in-*
" *cognito*, but being diſcovered by the duke of
" *Buckingham*, was told, that there was no occaſion
" for him to change his name or quality. Soon
" after he introduced himſelf to the king, who
" received him ſo very graciouſly, as immediately
" to releaſe the *Roman* catholicks out of priſon,
" and to permit him to adminiſter confirmation,
" and accordingly he confirmed about 10,000, in
" the preſence of a great concourſe of people at the
" door and in the ſtreet; on which complaints
" were made to the king, who anſwered, he did
" nothing contrary to his pleaſure. The archbiſhop
" inſiſted on a toleration, as the moſt effectual
" means to give ſatisfaction to the catholick princes;
" whereupon the king laying his hand upon the
" biſhop, ſaid, I plainly ſee you are a perſon ap-
" pointed by God, in whom I ought to confide and
" reveal the ſecrets of my heart.

" Afterwards (ſays Mr. *Eachard*) he freely ac-
" knowledged his good opinion of the catholick

" faith, and that he intended to ſummon an aſ-
" ſembly of prelates in *England*, with an equal
" number of foreigners, and would write with his
" own hand to the *French* king, and the pope,
" which the archbiſhop ſhould deliver, and if his
" holineſs approved of the ſcheme, he would im-
" mediately cauſe the conventions to aſſemble, when
" he hoped all things would tend to the great ad-
" vantage of the catholick church."

And laſtly, as to his invaſion of the ſubject's property, he commanded the privy council to iſſue out an order for raiſing money, and if any perſon refuſed to contribute thereto proportionably to their eſtates and means, their names were to be certified to the council board.

Theſe are inſtances ſufficient to demonſtrate the bleſſed effects of this firſt *Jacobite*, *Tory* or *arbitrary* reign, which, God knows, bad as it was, yet is a mere trifle, in reſpect of the hardſhips and perſecutions of theſe which ſucceeded it.

The next reign was, that of the unfortunate king *Charles* the firſt, a prince, on whoſe faults, in one light, we ſhould look with a compaſſionate concern, and in another, they cannot be too ſeverely expoſed. He inherited his father's principles of arbitrary power, and by a ſtiffneſs of temper, drove matters to the higheſt extreme: If religion conſiſts in cheriſhing a mad clergy, he was religious; but if it be irreligious to invade the property of others, to allow the prophanation of the ſabbath, to pillory and puniſh good men for refuſing the book of ſports, *&c.* I'm ſure he was abundantly irreligious; but I will ſlightly touch a few facts ſufficient to ſhew the genius of that prince.

And I will begin with his letter which he wrote to the pope, as cited by *Ruſhworth* and other authors, particularly *Wilſon*, in his *Compleat hiſtory of* England, p. 767. and as it is a curioſity, I ſhall tranſcribe part of it. *Moſt*

Moſt holy father,

"I received the diſpatch from your holineſs with that reſpect, which the piety, with which your holineſs writes, does require. I do believe, that your holineſs hath ſet the examples of the kings my predeceſſors before my eyes, that I might imitate them; for in truth, they have often expoſed their eſtates and lives for the exaltation of the holy chair; and the courage with which they have aſſaulted the enemies of the croſs of *Jeſus Chriſt*, hath not been leſs than the care and thought I have." And adds, "I'd not eſteem it a greater honour to be deſcended from ſo great princes, than to imitate them in their zeal and piety, in which it helps me much to have known the mind of our thrice honoured lord and father, and the holy intentions of his catholick majeſty, to give a happy concurrence to ſo laudable a deſign; for it grieves me extremely to ſee the evils that grow from diviſions which the wiſdom of your holineſs foreſaw, when it judged the marriage which you pleaſed to deſign between the infanta of *Spain* and myſelf, neceſſary to procure ſo great a good; for 'tis very certain, I ſhall never be ſo extremely affectionate to any thing in the world, as to endeavour an alliance with the prince that hath the ſame apprehenſions of the true religion with myſelf. Therefore I intreat your holineſs to believe, that I have always been far from encouraging novelties, or to be a partizan of any faction againſt the catholic, apoſtolic, *Roman* religion, and that I will employ myſelf for the time to come to have but one religion and one faith, having reſolved with myſelf, to ſpare nothing I have in the world, neither eſtate, nor life, for the thing ſo pleaſing unto God, *&c.*"

I have the charity to ſuppoſe, the innovations made in religion, during this reign, were the effects of biſhop *Laud*'s violence, but ſurely they were ſuch, as a proteſtant country or prince never before tolerated, much leſs countenanced. The ſtar-chamber fin'd Mr. *Shirfield* (vid. *Ruſhworth* part II. p. 316.) in 500*l.* and diſplaced him from being recorder of *Sarum*, for having expreſſed his diſſatisfaction at, and cauſing to take away a picture of God the Father, on painted glaſs in a window, where he was repreſented as an old man in a blue and red coat; Mr. *John Workman* a miniſter, was ſuſpended for preaching againſt crucifixes; the conſecration of St. *Catharine Creed* church in *London*, was ſo full of ſuperſtition, that I doubt, if any thing in popery can equal it. The book of martyrs, biſhop *Jewel*'s works, no, not the practice of piety, which before that, had undergone near forty editions, could be allowed to be printed, while *Sibthorp* and *Manwaring*'s ſeditious diſcourſes had a licence, and archbiſhop *Abbot* confined ro his country-houſe, for objecting to theſe reverend incendiaries works. Nay, the ſpirit ran ſo high, that Mr. *Gillabrand* profeſſor of mathematicks in *Greſham* college was proſecuted for publiſhing an almanack, in which the names of the proteſtant martyrs were inſerted, inſtead of the popiſh pretended ſaints; and at the ſame time a ſcandalous book was licenced, in which, the firſt reformers, who ſealed their religion with their blood, are treated by the odious epithets of traitors and rebels.

But I would fill a volume by multiplying inſtances of this nature; whoever inclines, may read them at large in *Ruſhworth*'s collections, *&c.* And I think the reader will by this time have ſatisfaction, as to the ſtate of religion, during that reign.

As to the prince's care of the liberties of *Great Britain*, his whole life was but one ſeries of encroachments:

ments: His firſt and ſecond parliaments were diſſolved the firſt year of his reign, and immediately he fell to work to raiſe money without the ſubjects conſent; loans, ſhip-money, exorbitant fines, ſtar-chamber proſecutions, *&c. &c. &c.* all ways were invented to rob the people of their property, and fill the king's coffers. On the introduction of this practice. Sir *Edward Coke* made a fine ſpeech, and produced the ſtatute of the 25th of *Edward* the third; he ſaid, "it chears me to think of it, loans againſt the will of the ſubject are againſt reaſon and the law of the land, which charter hath been confirmed by good kings above thirty times.

As to the bloody maſſacre in *Ireland*, where between 2 and 300,000 proteſtants were murdered, though many aſſert the king's knowledge of that monſtrous deſign, before it was put in execution, I will not determine the fact; there are preſumptions and theſe ſtrong ones too, on both ſides; but charity will make a man ſuſpend his judgment, or lean to the merciful ſide of a prince's character, when the matter appears dubious.

I will now leave this unhappy reign, ſo full of blood and civil rage, and ending ſo tragically, and review the conduct of his two ſons, ſucceſſive monarchs of *Great Britain*.

One would imagine, the fatal cataſtrophe of king *Charles* I. would have engaged his ſon to avoid the rocks on which his father had ſplit, and inſtead of promoting tyranny or arbitrary power, made the laws of the land the rule of his government: But alas! the ſame tainted blood, the ſame unhappy paſſion for deſpotic power and perſecution, remained about him, together with the *Stuart*'s art of conſummate diſſimulation.

The mal-practices of his reign, are the ſubject of many volumes; I can only give a few inſtances of his diſregard to religion, and the liberties and pro-

perties of his people; in doing of which, I ſhall confine myſelf chiefly to the tranſactions in *Scotland*.

On that prince's arrival in *Scotland*, ſoon after the tragical death of his father, which the *Scots* preſbyterians had endeavoured to prevent, he was received and crowned at *Stoon*; at his coronation he ſolemnly ſwore, amongſt other things, to maintain the preſbyterian religion, and to rule by the laws of the land; he took the ſolemn league and covenant, and to outward appearance, ſeemed ſincere in the profeſſions which he made. The *Scots* raiſed an army in defence of his title, and the beſt blood of the nation was ſpilt in his quartel, in the two fatal battles of *Dunbar* and *Worceſter*. On his reſtoration, he began by impoſing prelacy on the Nation, and by degrees turning out the honeſt clergy who had ſuffered in his cauſe; this was not indeed done all at once, for he had the art of diſſimulation to ſuch a degree, that he named ſeveral preſbyterians amongſt the number of his chaplains, but this was only a farce, as very ſoon appeared.

In *England*, by the uniformity act, 2000 miniſters were turned out of their churches, which occaſioned ſuch hardſhips as became a reproach to a proteſtant nation, for the ſevere act of 35th of queen *Elizabeth* was revived, which made non-conformity death or baniſhment; the perſecution that enſued, made the nation ſoon to be ſenſible of their miſtake, and accordingly a bill was brought in, for exempting his majeſty's ſubjects from the penalties of the act 35 *Elizabeth*. It paſſed both houſes, but when it came to receive the royal aſſent, this was taken from the table, which, as it could not be done without the king's being privy thereto, many then ſaw what was meant by the declarations in favour of tender conſciences.

In *Scotland*, Dr. *Sharp*, then a noted preſbyterian, went to court, and ſoon after returned archbiſhop

of

of St. *Andrews:* The king contrary to his ſolemn oath, emitted a declaration, reſtoring the archbiſhops and biſhops to govern in the church; and the ſolemn league and covenant, which out of reſpect to the king, who had thrice ſworn it, ought to have had a reprieve, was abjured, and publickly burnt.

And now, the moſt horrible ſcene of perſecution began there, enough to make the ears of him that hears it to tingle; the laws againſt the covenanters (ſays a noted author) were written in blood and executed by dragoons; a few queſtions were invented to entangle, and whoever failed to give anſwers, of which the troopers were to be judge as to their propriety, they were immediately hanged without further trial; the ſoldiers were judges, jury, evidences and executioners. *Coke* in his Detection, vol. II. p. 198. tells us, " that being armed with ſufficient power, all ſorts of people were forced to depoſe upon oath, their knowledge of the perſons of diſſenters in the exerciſe of their worſhip, upon penalty of impriſonment, tranſportation, and being ſold for ſlaves, making it death for any to preach in fields or houſes, ordering that every man for himſelf, and all under him, ſhould give bond not to go to field-meetings, and to inform againſt, purſue and deliver up all outed miniſters to juſtice. The execution of theſe orders was by an army of *Highland* robbers; ſo that it was a queſtion, if the *French* king did not take his meaſures in his dragooning reformation by this ground work."

Another author gives the following account of theſe horrid barbarities.

" In the weſtern ſhires, where the preſbyterians were moſt numerous and firm to their principles, they had an hoſt of *Highlanders* brought down upon them, ten or eleven thouſand, added to the ſtanding troops; theſe ſavages, more cruel than *Turks* or *Tartars*, were to preſs upon the people a bond

bond of conformity, wherein the ſubſcriber was bound for himſelf, wife, children, ſervants and tenants, to frequent his parochial church, never to go to field-meetings, nor entertain any that went, but to inform againſt, deliver up, and purſue all vagrant-preachers; whoever refuſed to ſubſcribe theſe bonds had 10, 12, 30, or 40 of theſe eccleſiaſtical doctors quarter'd upon them, who, beſides their maintenance, exacted a contribution of *6 d per* day for a common ſoldier, and in proportion for an officer; nor did they take leave ordinarily, till they had deſtroyed and laid waſte all where they came.

After the riſing of *Bothwell* bridge, ſeverities encreaſed; it was made criminal to harbour any of the rebels, and multitudes were fined, impriſoned and put to death, for having ſeen or ſpoken with ſome of them. The method of proceeding both in convicting and executing ſuch as were marked for deſtruction were as inhuman, as ever made uſe of by pagans or papiſts, and ſeem to make a pretty exact parallel with the *Spaniſh* inquiſition; as, the trepanning by queſtion, demanding their thoughts and judgment on what had paſt, when they had nothing to accuſe them of, thereby making them accuſe themſelves; as, what they thought of the death of the biſhop of St. *Andrews?* whether was it murder? and of the riſing of *Bothwell* bridge, whither was it rebellion and ſin againſt God? Sometimes they were kept a year in priſon without examination, or letting them know their crime; in the mean time ſending, under the pretence of impriſoning, ſpies upon them, that they might draw ſomething from them to afford matter of an accuſation; or if that could not be done, they would put ſuch oaths to them as they knew they ſcrupled, and thereby do their work effectually.

They frequently, when priſoners were tried before them, had neither accuſer nor libel (exactly the

the way of the inquiſition in *Spain)* but require them to anſwer *ſuper inquirends* to all queſtions they were pleaſed to propoſe; and if the jury in a caſe moſt notorious, happened to be a little ſhy and bogle at the work prepared for them, the king's advocate by commands and threatnings awed them into a compliance, and forced them to bring in the priſoner guilty; and which is altogether borrowed from the inquiſition, when they could not get a direct anſwer, they extorted it by torture, as by the boot, *&c. &c.*

And for their executions, how inhuman were they? Sometimes they cut off a perſon's ears on one ſentence, and then put him to death on another; they ſpared neither age nor ſex; ſome women were hanged, and others drowned with admirable art and contrivance, being tied with a ſtake, within the ſea mark, and there left to view the enemy death, advancing towards them ſtep by ſtep, on the back of increaſing waves; many of the men had their hands and privy members cut off, their hearts plucked out, and thrown into the fire, whilſt alive. The boots and thumbkins were the common inſtruments of torture, by which the very marrow of their legs and thumbs were ſqueezed out.

Many priſoners, whilſt under methods of examination, were kept awake (by ſoldiers ſworn to the purpoſe) for ſeven, eight or nine nights together, and when led to execution, not ſuffered to ſpeak a word in their own vindication, or the inſtruction of others, the drums beating all the while; and if it be aſked where this was done, among *Turks*, *Tartars*, or *Jews*, the *Canibals*, or rather the *Toncupinambo*'s, who, as Mr. *Locke* ſays, believed they merited heaven by the virtues of revenge, and eating abundance of their enemies? No, theſe were not the actors in the tragedy; but Chriſtians! and Proteſtants! and ſuch as would take it ill, not to

be

diſtinguiſhed as moſt primitive and pure; the work of archbiſhops, *&c.!* But tell it not in *Gath?* nor do I mention theſe things with the leaſt deſign of of fixing a reproach upon any party that will renounce ſuch principles, only to ſhew the ſpirit of that time, and beget an abhorrence in the reader at ſuch inhumanity.

Theſe were the tranſactions of the extolled merciful days of *Charles* the ſecond. And will be a laſting teſtimony, how much the declarations of popiſh princes may be relied upon in the caſe, either of religion or liberty; for in the inſtances above mentioned, there was the boldeſt invaſion of both, that any hiſtory can ſhew; that king *Charles* was a papiſt, converted during his exile, there is no room to doubt, by the declaration of his brother king *James*, and the papers found in his ſtrong box after his death, which were publiſhed by authority.

But to proceed, he ſet up illegal and arbitrary power in civil matters under the ſpecious name of prerogative royal; to this the complaiſance of his firſt parliament, when the tide of joy run high through the nation, contributed a great deal by the following oaths being contained in the uniformity bill, which all were compelled to take.

I *A. B.* do declare, that it is not lawful, on any pretence whatſoever, to take up arms againſt the king, and that I do abhor the traiterous poſition of taking up arms by his authority againſt his perſon, or any that are commiſſioned by him.

And ſometime after, the following oath was likewiſe impoſed.

I *A. B.* do ſwear, that I will not endeavour any alteration in the government of this kingdom in church or ſtate as by law eſtabliſhed.

By this the hands of the nation were tied up, and of every man therein, from reſiſting even a ruffian that ſhould come to cut his throat, if he could ſhew the king's commiſſion.

Dr. *Welwood* obſerves, that it was adopting a ſecond time into our religion, a *Mahometan* principle, under the name of paſſive obedience, and non-reſiſtance, which ſince the time of the impoſtor that firſt broached it, has been a mean to enſlave a great part of the world.

But to name a few acts of down right tyranny. In the year 1662, he diſpenſed with the penal laws, by his declaration of indulgence, in 1672 he ſhut up the exchequer, where the bankers, for the greater ſecurity, had lodged 1400,000 *l.* ſterling, which was loſt to the proprietors, till king *William*, near thirty years after, prevailed on the parliament to refund the ſufferers; he ſold *Dunkirk* to *France* for 500,000 *l.* a price, ſays the houſe of commons, in their charge againſt lord *Clarendon*, not exceeding the value of ammunition, artillery, and ſtones. The *Quo Warrantos* were common, and ſuch other acts of arbitrary power, as would fill volumes.

I forbear touching on the popiſh plot, his behaviour on the bill of excluſion; the *Rye-houſe* plot, as it was called, whereby the eminently great lord *Ruſſel*, and Sir *Algernon Sidney* ſuffered unjuſt deaths on a publick ſcaffold.

Thus far have I thrown together a collection of facts ſupported from the beſt teſtimonies; and if they are coolly conſidered, I dare ſay, that Jacobitiſm or arbitrary power will bear ſuch an aſpect, as make its abettors aſhamed.

The reign of the unfortunate king *James* comes next to be reviewed. I ſhall not enlarge a great deal on a ſubject ſo well known, only relate a few circumſtances.

As to the religion of that prince, though it was made criminal, a little before, to ſay, he was a papiſt, yet on his acceſſion, he ſolemnly profeſſed it; and his life and reign teſtify the ſincerity of his converſion. He promiſed, nay ſwore, to maintain the religion eſtabliſhed by law; yet it was the firſt work he ſet about to ſubvert it; to be of the king's religion was the only road to preferment; the laws diſqualifying papiſts were arbitrarily diſpenſed with, and a tyrannical government introduced in place of a legal one. He tells his parliament, that the employing papiſts in the army was neceſſary, and ſays, "Let none take offence, that there are ſome "officers in the army not qualified according to the "late teſts or their employments: The gentlemen, "I muſt tell you, are well known to me, and hav- "ing formerly ſerved me on many occaſions, and "always approved the loyalty of their principles, "by their practices, I think them now fit to be "employed under me; and will deal plainly with "you, that after having had the benefit of their "ſervices at ſuch a time of need and danger, I "will neither expoſe them to diſgrace, nor myſelf "to the want of them, if there ſhall be another "rebellion to make them neceſſary to me." So that now the king ſpoke out, declaring for a ſtanding army in time of peace, and without conſent of parliament, and at once diſpenſing with all the oaths and teſts the law had ſet as a bulwark againſt popery.

The houſe of commons were juſtly alarmed at this, and therefore, after many debates, repreſented to his majeſty, that theſe officers could not by law be capable of their employments; nor could the incapacities they were under be removed, but by act of parliament; but that out of the great reverence and duty they owed to his majeſty, they were preparing a bill to indemnify them from the penalties

they had incurred; and 'tis ſaid, the commons were willing to capacitate, by an act of parliament, ſuch a number of *Roman* catholick officers as his majeſty ſhould give a liſt of: But this did not anſwer the king's purpoſe, and therefore after he had ſtormed at the diſappointment, he put an end to their debates, by proroguing and then diſſolving them.

But a true picture of this reign may be gathered from a late excellent writer, whoſe words I ſhall here tranſcribe, as they point his tyrranies in miniature, and fully juſtify the *Britiſh* nation, in freeing itſelf from ſuch horrible oppreſſion, and ſuch a race of princes.

" Things not ſucceeding as was hoped in *England*, his majeſty turned himſelf to his friends in *Scotland*, where he expected a more entire compliance, having found the firſt parliament there, which ſat down *May* 1685. ſo much to his own heart. The firſt act they paſſed, was called an act for the ſecurity of the proteſtant religion; but (ſays Dr. *Kennet*) truly meant for the extirpation of the preſbyterians. The next act was for ſettling the exciſe of inland and foreign commodities, upon his majeſty and heirs for ever; and in the preamble of this act they declare, " That they abhor all principles which " are derogatory to the king's ſacred, ſupreme, " and abſolute power and authority, which none, " whether private perſons, or collegiate bodies, can " participate of, any manner of way, but in de- " pendance on him; and therefore they take this " occaſion to renew their hearty and ſincere offer " of their lives and fortunes, to aſſiſt, defend, " and maintain his right and prerogative againſt " all mortals." The 8th of *May*, the ſame parliament paſſed two other acts; the firſt to forbid preaching or reſorting to houſe or field-conventicles, under pain of death, *&c.* The other, to make it

high treaſon to give or take the national covenant, as explain'd 1638. or write in the defence of it; and the better to tie up that nation to a deſpotick yoke, they paſs'd another act on the 24th of the ſaid month, ordaining all the ſubjects of that kingdom, whenſoever requir'd, to aſſert the royal prerogative, and ſwear to defend the king and his ſucceſſors in the exerciſe of their abſolute power, under the pain of baniſhment.

The king preſuming from theſe advances (ſays an ingenious writer) the *Scots* would eaſily be faſhion'd to his pleaſure, he recommended to them his innocent *Roman-catholick* ſubjects, who, as they had given good experience of their true loyalty, and peaceable behaviour, ſo he would have them receive the protection of his laws, without lying under obligations their religion could not admit of. But tho' many were for obliging his majeſty in this, it could not be carried without warm debates, and ſtrong objections on the other ſide; in the midſt of which his Majeſty ſent an expreſs to the earl of *Murray*, to prorogue or diſſolve the parliament: However, the *February* following, 1686. he did the work himſelf in a way more agreeable to him; and put forth his proclamation for liberty of conſcience, repealing the laws made againſt papiſts; and it ſeems the lords of the council were ſo entirely devoted to the court, as to receive this illegal proclamation, contriv'd to ruin the proteſtant intereſt with applauſe; telling his majeſty, "his orders "were exactly obey'd, and that his royal procla- "mation was printed and publiſhed, by which his "Majeſty had given a further proof of his favour "and goodneſs to all his ſubjects; adding, that "they conceive ſuch of his ſubjects (meaning the "papiſts) as ſhall be employ'd by his Majeſty in "offices of truſt, civil or military, are ſufficiently "ſecur'd by his authority and commiſſion for exer-

"ciſing

" ciſing the ſame." This was exactly to the king's guſt; but what then ſignifies acts of parliament?

But it was in *Ireland* that king *James*'s deſigns of enſlaving his people, and ſetting up popery, took moſt: The king begun there as ſoon as he came to the throne, and purſued his meaſures ſo vigorouſly, that the proteſtant intereſt in a few years was brought to the laſt gaſp: Dr. *Kennet* ſays, the proſpect of this broke the heart of the duke of *Ormond*, who was lord lieutenant of *Ireland*, but recall'd within leſs than two months after king *James*'s acceſſion. It would require a volume, to relate but part of the illegal, arbitrary, cruel and inhuman methods us'd under the adminiſtration of *Tyrconnel* to ſuppreſs the proteſtants, and ſet up popery in that kingdom; and 'tis excellently well done already in biſhop *King's ſtate of Ireland*, to which I refer. I ſhall only tranſcribe a few paſſages out of him, to give the reader a more comprehenſive idea of the miſeries of thoſe times; and I ſhall firſt take notice what ſort of creatures they were king *James* advanc'd and employ'd as his tools in all his dirty work.

" In *Ireland*, ſays my author, before it was con-
" quer'd by the *Engliſh*, the heads of ſepts were
" abſolute over their tenants; their wills paſs'd for
" laws, and all their proceedings were merely arbi-
" trary and deſpotick; whatever the landlord had
" occaſion for, he ſent to his tenant's houſe, and
" caus'd it to be brought him, without conſidera-
" tion or allowance; or, if he pleas'd, he went to
" the tenant's houſe with his retinue, and there
" ſtay'd as long as he thought fit, eating and drink-
" ing, and uſing every thing the tenant had as his
" own: This practice was call'd *coſhering*, and
" ſeveral laws have been made againſt it: But as
" many of the old landlords loſt their eſtates by out-
" lawries and attainders, for their rebellion in the
" year

" year 1641, and for murdering the proteſtants at
" that time; many of them had ſold their eſtates,
" and ſome of them had mortgag'd them, for more
" than their value two or three times, to ſeveral
" perſons; a practice very common in *Ireland*.
" But it is obſervable, that 'tis the humour of this
" people to count an eſtate ſtill their own, though
" they have ſold it on a moſt valuable conſideration,
" or have been turn'd out of it by the moſt regular
" proceedings of juſtice; ſo that they reckon every
" eſtate theirs that they or their anceſtors had at
" any time in their poſſeſſion; no matter how
" many years ago; and by their pretended title
" and gentility, they have ſuch an influence upon
" the poor tenants, of their own nation and re-
" ligion, who live on thoſe lands, that theſe tenants
" look on them ſtill, tho' out of poſſeſſion of their
" eſtates, as a kind of landlords; maintain them,
" after a faſhion, in idleneſs, and entertain them in
" a *coſhering* manner. Theſe vagabonds reckon'd
" themſelves great gentlemen, and that it would
" be a great diſparagement to them to betake
" themſelves to any calling, trade, or way of in-
" duſtry; and therefore either ſupported themſelves
" by ſtealing and torying, or oppreſſing the poor
" farmers, and exacting ſome kind of maintenance,
" either from their clans and ſepts, or from thoſe
" that liv'd on the eſtates to which they pretended;
" and theſe pretended gentlemen, together with
" the numerous *coſhering* popiſh clergy, that liv'd
" much after the ſame manner, were the two great-
" eſt grievances of the kingdom, and more eſpe-
" cially hindered its ſettlement and happineſs: The
" laws of *England* were intolerable to them both,
" nor could they ſubmit to be under them.

" As to the popiſh landlords, who yet retained
" their eſtates, it put them out of all patience, to
" find that the *Bodough*, their tenant (for ſo they

" call

" call their meaner ſort of people) ſhould have
" equal juſtice againſt them, as well as againſt their
" fellow churl. That the landlord ſhould be call'd
" to an account for killing or robbing his tenant,
" or raviſhing his daughter, ſeem'd to them an
" unreaſonable hardſhip. It was unſufferable to
" men that had been us'd to no law but their own
" will, to be levell'd with the meaneſt in the admi-
" niſtration of juſtice; and every time they were
" croſs'd by a tenant that would not patiently bear
" their impoſitions, they curs'd in their hearts the
" laws of *England*, and call'd to mind the glorious
" days of their anceſtors, who with a word of their
" mouths could hang or ruin which of their depen-
" dants they pleas'd, and had in themſelves the
" power of peace or war.

" Now theſe very men were the officers king
" *James* employ'd and truſted above all others; he
" eſpous'd their intereſt from the time he had
" thoughts of the crown; they were his favourites
" and confidents, and to provide for them, he
" turn'd his *Engliſh* and proteſtant ſubjects out of
" the army, then out of their civil truſts and em-
" ployments; laſtly, out of their fortunes and
" eſtates. He knew very well that the tempers
" and genius of theſe men were at enmity to the
" laws, and fitted for that conſtitution of ſlavery
" under which he deſign'd to bring the kingdoms:
" He found that none we remore fawning to their
" ſuperiors than they; nor did they flatter with
" more meanneſs and ſervility; and, according to
" the nature of ſuch people, none are more inſolent
" and tyrannous to their inferiors; and this was the
" reaſon that they were ſo dear to king *James*, and
" that he preferr'd and truſted them rather than
" his proteſtant and *Engliſh* ſubjects. The bargain
" betwixt him and them was plainly this: Reſtore
" us to our former power and religion, and we will

" ſerve

" ſerve you as you pleaſe, in your own way; an
" expreſſion that king *James* and his creatures of-
" ten us'd, and were very fond of."

Any one may diſcern how admirably cut out and adapted theſe canibals were for king *James*'s purpoſe; nor was it long before he introduc'd them into his ſervice, diſplacing others to make way for them. *Ormond* being recall'd, the privy council was immediately diſſolv'd, and all ſuch proteſtants as had been moſt hearty for the proteſtant intereſt were diſmiſs'd; ſo that in a little time the major part of the council conſiſted of papiſts. Colonel *Richard Talbot*, afterwards earl of *Tyrconnel*, was made lieutenant-general, and intruſted with the new modelling the army. " He was, ſays Dr. *King*, a perſon more hated than any other by the *Engliſh*, and had been nam'd by *Oates*, in his narrative, for this very employment; which made many that believ'd nothing of the popiſh plot before, now give credit to his narrative; and the common ſaying was, That if *Oates* was an ill evidence, he was certainly a good prophet." *Tyrconnel* conſidered the army as the only engine he depended on for deſtroying the religion, liberty, and laws of the kingdom; and therefore reſolv'd to have it fitted for his purpoſe; which he ſet about with all expedition, and proſecuted in ſuch a manner, as might be expected from a man of his inſolent temper; exerciſing the utmoſt falſhood and barbarity. In the morning he would take an officer into his cloſet, and with all the oaths, curſes, and damnations, that were never wanting to him, he would profeſs friendſhip and kindneſs, and promiſe him the continuance of his commiſſion; and in the afternoon caſhier him, with all the contempt he could heap on him; nay, may be, while he was thus careſſing him, he had actually given away his commiſſion; and ſuch as he turn'd out, he treated barbarouſly; ſeizing the horſes

ſes of many officers, cheating them of their pay, and ſtripping the common ſoldiers even to their ſhirts; ſo that ſome hundred gentlemen, that had laid out their eſtates in buying commiſſions, were depriv'd of them in an arbitrary manner, and five or ſix thouſand ſoldiers ſent a begging, and a company of *Iriſh* papiſts were ſubſtituted in their room.

Some time after he was made lord lieutenant; the news of which amaz'd the poor proteſtants; it ſtruck like a thunder-bolt; "Perhaps no age, ſays the biſhop, can parallel ſo dreadful a cataſtrophe, among all ages and ſexes; as if the day of doom was come; every one lamenting their condition, and almoſt all that could, abandoning the kingdom."

The judges were preſently chang'd, the proteſtants generally turn'd out, and ſome of the moſt profligate branded creatures in the whole profeſſion of the law put in, who had no other merit but that of bigottry to popery, and implacable rage againſt the proteſtants, and a readineſs to ſerve king *James* in his own way. Take an example in the chancellor *(et ex uno diſce omnes)*. "The chancery, ſays my author, is the greateſt and higheſt court, wherein great cauſes, and matters belonging to right and equity are determin'd, but neither the lord primate *Boyle*, who had manag'd that court above twenty years, nor Sir *Charles Porter* who ſucceeded him, could anſwer the king's intention; but Sir *Alexander Titton*, a perſon detected of forgery, not only at *Weſtminſter* and *Cheſter*, but likewiſe fin'd by the houſe of lords in parliament, was brought out of goal, and ſet on the higheſt court of the kingdom, to keep the king's conſcience, tho' he wanted law and natural capacity, as well as honeſty and courage to diſcharge ſuch a truſt; and had no other quality to recommend him, beſides his

being a convert papiſt; that is, a renegado to his religion and his country. He could not underſtand the merit of a cauſe of any difficulty, and therefore never fail'd to give ſentence according to his inclination, having no other rule to lead him; and how he was inclin'd to all proteſtants, appears from his declarations on all occaſions againſt them. He did not ſtick, on a hearing, to declare, that they were all rogues, and that, amongſt forty thouſand, there was not one who was not a rebel, a traitor, and a villain; for this reaſon he would not allow the guardianſhip of a child to the proteſtant mother, but gave it, againſt the poſitive words of the law, to the popiſh relations. For this cauſe he overrul'd both the common rules of practice of the courts, and the laws of the land, declaring in open court, that the chancery was above all laws; that no law could bind his conſcience. After hearing a cauſe between a proteſtant and a papiſt, he often dec'ared, he would conſult a divine before he would give a decree; that is, he would have the opinion of a popiſh prieſt, his chaplain, educated in *Spain*, and furniſhed with diſtinctions to ſatisfy his conſcience, how far he ſhould do juſtice to proteſtants. In ſhort, all offices, whether military or civil, were diſpos'd of to a ſet of the greateſt villains in the world: They were forc'd to rake into the very ſcum and ſink of the people to find a few to ſit on the bench; men without freehold, without ſenſe, and without honeſty, were made ſheriffs. There was not a proteſtant ſheriff in all *Ireland* in the year 1687, except one, ſuppoſed to be put in by miſtake, inſtead of a catholick name-ſake (*Charles Hamilton* for *John*). The mean employments of an high or petty conſtable, a gaoler, *&c.* were thought too good for proteſtants; who now had the mortification to be at the mercy of a company of illegal officers, ſheriffs, juſtices, and juries, ſome of whoſe

fathers, or near relations, they had either hang'd for thieving, robbing and murdering, or kill'd in the very act of torying.

Another thing they ſet themſelves about, was, to diſſolve the corporations, take away their charters, and model them according to their own mind; and this way they thought the more of, becauſe, after the rebellion in 1641, the papiſts were excluded by the charters from the freedom of voting in their corporations, many of which had been procur'd, and ſome built by the induſtry of the proteſtants. Hereby the proteſtants were ſecure of parliament-men; but this barrier was broke thro', all the corporations being diſſolved, and their charters wreſted out of their hands by *Quo Warranto*'s; and where new charters were granted, they were fill'd up chiefly with papiſts, and men of deſperate fortunes; a clauſe being inſerted in every one of them, by which they were ſubjected to the abſolute will of the king; the king's chief governor having power to put in and out whom he pleas'd, without giving any reaſon, *&c.* So that the corporations became now ſo entirely in the king's power, that he might, ſays my author, as well name his regiment of guards a free parliament, as the burgeſſes returned by ſuch elections; and indeed aldermen and burgeſſes of the new charters were above two thirds papiſts.

What a train of calamities the proteſtants ſuffered during the reſt of king *James*'s tyranny, under ſuch miniſters and officers, is pretty well known; however, ſomething I ſhall ſay of them, and ſhall reduce them to four heads, and juſt touch upon each; their ſufferings in their liberties, eſtates, religion, and lives. To begin with their liberties.

No ſooner had they got judges and juries that would believe them, but they began a trade of ſwearing, and ripping up what they had heard their

neighbours ſay of his Majeſty, whilſt duke of *York*, eſpecially in the time of the popiſh plot. The new juſtices readily bound over the accus'd proteſtants, and committed them, without any reaſon given in the warrant; it was time enough to invent reaſons againſt the next aſſizes; and in this caſe perjury was grown ſo common, that if a tenant owed his proteſtant landlord any rent, he paid him by ſwearing him into a plot. If a papiſt had any quarrel with his proteſtant neighbour, or ow'd him money, he paid him with the ſame coin. Many were indicted, fin'd, and impriſon'd by theſe contrivances; and, not being able to ſatisfy the king for their fines, he ſeiz'd both their bodies and eſtates; the new mayors were as tyrannical in their places as any of the reſt. Sir *Thomas Hacket*, lord mayor of *Dublin*, among many brutiſh and barbarous things he did, ſent his warrant, and committed the officers of *Chriſt Church* to the ſtocks; becauſe he fancied they did not make the bells ring merrily enough for the birth of the prince of *Wales*, though that church was out of his juriſdiction: At laſt, it came to a general ſeizure, and almoſt all the proteſtant gentlemen, without pretence of reaſon, warrant, or law, were put in goals, under the cuſtody of mean and barbarous guards, whoſe very captains had no better education than that of footmen or cow-herds; whoever pleas'd had the power to commit proteſtants; and if at any time they aſk'd by what authority they were committed, We have committed you, get out again if you can.

As for their poſſeſſions and eſtates, they had a variety of methods to cheat them out of them; their arms, cattle, money, all were taken from them. In the beginning of king *James*'s reign the proteſtant militia were diſſolv'd, and, tho' they had bought their own arms, they were oblig'd to bring them into the ſtores: There was, however,

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a conſiderable quantity of arms in ſeveral places, eſpecially in *Dublin*; to deprive them of which, the lord deputy drew nine or ten regiments thither, and filling the ſtreets and lanes with foot and horſe, he ſent the city officers to ſignify to every houſe, that if they did not immediately deliver up their arms, they ſhould be left to the mercy of the ſoldiers, as to life and goods: The proteſtants looking upon this as a threatning of a general maſſacre, which they fear'd; and, to avoid ſo terrible a dragooning, were forc'd to comply: Afterwards came out a proclamation, forbidding any proteſtant to wear or keep a ſword, under penalty of being counted rebels or traitors; and in the ſame manner they took away their horſes, and indeed all they had: Their expences were multiplied, their trade ruined, their houſes and villages deſtroy'd by robberies and free-quarters; their receipts and rents ſtopt: The popiſh tenants were taught to anſwer, when their landlords demanded rent, that they had ſpent what they had deſign'd for them, to fit themſelves for the king's ſervice; and he was ſure to be repreſented as diſaffected, that did not ſit down with this anſwer; and, to make quicker diſpatch, a general plundering or robbing was ſet on foot; ſo that they ſcarce left a proteſtant in *Ireland* a cow or a ſheep; and, it ſeems, the prieſts encourag'd this trade, impoſing it as a penance upon ſuch as came to them for abſolution, to rob ſome of their proteſtant neighbours. Their real eſtates had the ſame fate; a counterfeit deed, produc'd by a catholick, would turn a proteſtant gentleman out of all he had, and, at laſt, by a pretended parliament, choſe, in effect, by the king himſelf, and which had little more to do than, like a parliament of *France*, confirm the king's edicts, an act of attainder is paſt, by which all proteſtants whoſe names they could find, of all ages, ſexes, and degrees, were attainted

of

of high treaſon; and their eſtates veſted in the king, which ſwept away what the act of repeal left.

'Tis eaſy to ſuppoſe what violence would be offer'd to the proteſtant religion, when they treated with ſo much barbarity the profeſſors of it: King *James*, indeed, had ſtickled mightily for liberty of conſcience; but, ſays Doctor *King*, the proteſtants found that a papiſt, whatever he profeſſes, is but an ill guardian of liberty of conſcience; and that the ſame religion that oblig'd the king of *Spain* to ſet up an inquiſition, would not long endure the king of *England* to maintain liberty. Some of the papiſts would forwardly tell their neighbours, that *Ireland* muſt be a catholick kingdom, and they haſtened as faſt as they could to make it ſo; ruining the proteſtant univerſity of *Dublin*, and proteſtant ſchools up and down the kingdom; erecting popiſh ſeminaries, converting the legal maintenance of the proteſtant clergy to the uſe of popiſh prieſts; plundering and ſeizing their churches in a rude and violent manner. In corporations, the mayors, or other governors, with the prieſts, went to the churches, ſent for the keys to the ſextons; and, if they could not get the keys, broke open the doors, pull'd up the ſeats, *&c.* and having ſaid maſs in the churches, declared them their own, that they were conſecrated places, and that the king himſelf had nothing to do with them; and that to give them back to hereticks were ſacrilege. In country places the officers of the army did the ſame; thus *Chriſt Church* in *Dublin* was ſeiz'd by *Lutrell* the governor, and about twenty-ſix more in the dioceſe of *Dublin*; and when they had drove them into private houſes for worſhip, they moleſted them there, and at laſt forbid more than five proteſtants to meet together, under pain of death; which ſhut up the churches and religious aſſemblies thro' the kingdom; and had king *James* returned victorious from the *Boyne*,

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it was reſolv'd they ſhould be open'd no more for the proteſtants.

Nor was life ſpar'd, though they did not think proper yet to make a general ſlaughter, as in forty-one; many, however, were killed by the ſoldiers, murder'd in their houſes, executed by martial law, ſtarv'd in goals, *&c.* It was made death by a proclamation, for ſcholars of the college of *Dublin* to meet and converſe together above two or three at a time; and, to ſhow what they deſign'd, had not providence prevented, every member of their ſham parliament was order'd to return ſuch proteſtant gentlemen as liv'd near him, or in the country or borough for which he ſerved; and when they had made a large collection of names, they attainted them, but allowed them not time to come in, and put themſelves on trial: 'Tis obſervable, this act left no room for the king to pardon after ſuch a day, and yet was concealed, and no proteſtant allowed to ſee it till the time limited for pardon was paſt four months.

I'll give a ſingle inſtance, which may ſhow upon what terms the proteſtants ſtood for their lives: Several gentlemen kept their horſes, and armed their ſervants, in order to defend themſelves againſt the rapparies or plunderers, which was called, levying war again the king. In the county of *Cork*, one Mr. *Brown* had been ſeen in company of men that were endeavouring to make their eſcape from the plunderers, but left them and went home; he was however, for this brought before judge *Dally*, who acquitted him as innocent; afterwards he was carried before judge *Nugent*, and even he, as bad as he was, at firſt ſeemed inclin'd to acquit him, till he had diſcourſed with king *James* lately come over, and then a corrupt jury found him guilty, and condemned him to be hanged, drawn, and quartered, and the ſentence was accordingly executed, no entreaties

treaties being able to prevail with king *James* to pardon him; which made many call to mind the bloody executions in the weſt of *England*, and fear *Nugent* would act over again the infamous part of *Jefferies*.

Nay, it ſeems they were for famiſhing the whole body of proteſtants; and the methods they took would have done it effectually, had their power laſted a little longer: If the proteſtants had any proviſions of biſket, or barrel'd beef, *&c.* there was a general ſearch made for them; nor would they ſuffer them to buy either bread or drink, in the city of *Dublin*, at any rate; twenty or thirty ſoldiers ſtood conſtantly about every bake-houſe, and would not ſuffer a proteſtant to come nigh it: If they ſent into the country, and by intereſt and a great price got a barrel of wheat from a popiſh farmer, it was ſeiz'd as it came to town; and though there was plenty of all things, yet ſeveral proteſtant families could not get a loaf of bread in a week or fortnight; ſo that the poor people began to be convinced it was more than a bare threatning, which Sir *Robert Parker* and others blabb'd out in the coffee-houſe, *viz.* That they deſign'd to ſtarve out one half of the proteſtants, and hang the other; and that it would never be well till this was done.

In *England*, king *James* found his affairs a little embarraſſed, his parliament was not ſo tractable as he expected, notwithſtanding his endeavours to pack an aſſembly to his mind, by *Quo Warranto's*, cloſetting, the intrigues of the lord lieutenants and regulators; and therefore after ſeveral prorogations, he diſſolves them *July* 2, 1687. and goes to work another way, tampering with the judges to ſet up his diſpenſing power; ſince the parliament could not be wrought upon to do it; to which purpoſe the king cloſets the old judges, and queſtions them upon the point, whether they would maintain his

power

power to diſpence with the penal laws and teſt: The firſt man the king ſounded, was Sir *Thomas Jones*, who boggled at it, and at laſt told the king, he could not do it; whereupon the king anſwered, he would have twelve judges of his mind; to which Sir *Thomas* replyed, he might poſſibly have twelve judges of his opinion, but would ſcarce find twelve lawyers to be ſo. He, and ſeveral others that would not bend to the king's will, were removed, and a new ſet introduced, that were more at his majeſty's devotion, as Sir *Henry Bedinfield*, Sir *Edward Atkins*, Sir *Edward Lutwitch*, &c. Theſe readily fell in with the meaſures of the court, and were prepared to ſupport, by their authority, ſuch extravagant poſitions as had been delivered by fawning courtiers, and in many fulſome harrangues from the pulpit, *viz.* That monarchy and hereditary ſucceſſion were by Divne Right: That the legiſlature was veſted in the perſon of the prince, and that power in the King to diſpence with the law, was law; accordingly, in a caſe of Sir *Edward Hales*, they gave it for law,

" That the kings of *England* are ſovereign " princes.

" That the laws of *England* are the king's laws.

" That therefore 'tis an eſſential, inſeparable " prerogative in the kings of *England*, as in all " other ſovereign princes, to diſpence with penal " laws in particular caſes, and upon particular ne- " ceſſary reaſons.

" That of thoſe reaſons, and of thoſe neceſſities, " the king himſelf is the ſole judge. And,

" That this is not a truſt inveſted in, or granted " to, the king by the people, but is the antient " remain of the ſovereign power and prerogative " of the kings of *England*, which never yet was " taken from them, nor can be."

Thus, adds the *memoirs*, were we fallen under the greateſt misfortune that could happen to a nation, to have our laws and conſtitution trampled upon under colour of law, and thoſe very men, whoſe office 'twas to ſupport them, were the betrayers of them to the will of the prince.

This grand point being gained, though after a very ſorry manner, the king proceeded, exerciſing his diſpenſing power without reſerve; the papiſts were preferred to all ſorts of truſts, ſome made privy councellors, other judges; ſome (as Sir *Richard Allibone*, and Mr. *Ingleby*) were, by the king's writ, called to the degree of ſerjeants at law, and gave rings with this motto, *A rege lex.*

In the mean time, the intereſt of the catholick church, as they called it, was not forgotten: Jeſuits and all ſorts of eccleſiaſticks, like the ſwarms of flies, and lice of *Egypt*, or locuſts out of the bottomleſs pit, cover'd the land: Schools and ſeminaries were erected at *London*, and in the moſt conſiderable towns in the kingdom.

Four *Roman* catholick biſhops were publickly conſecrated in the royal chapel, and diſpatched down under the titles of *vicars apoſtolical*, to exerciſe their functions in their reſpective dioceſſes: their paſtorial letters directed to the lay-catholicks of *England*, were diſperſed up and down, and printed by the king's own printer, with publick licence. The regular clergy appeared in their habits at *Whitehall*, and St. *James*'s, and made no ſcruple to tell the people, that they hoped in a little time, to walk in proceſſion to *Cheapſide*; and that theſe enemies might have the fuller ſwing, and ſow their tares without any complaints by the huſbandmen, an order was ſent to the proteſtant biſhops to diſcharge all their inferior clergy from preaching upon controverted points in divinity: But this unreaſonable prohibition awakened, rather than diſcou-

raged the zeal of many eminent miniſters of the church of *England*, and ſet them upon preaching in defence of the proteſtant religion, and writing againſt *Rome*; whoſe errors they expoſed in ſuch a manner, as galled their adverſaries, and made them gnaſh their teeth for vexation, which I mention to the honour of thoſe learned and brave men of the church of *England*, that made ſo noble a ſtand for their religion, in its greateſt danger. But this gave no ſmall offence, and reſolutions were taken to check theſe advocates for the proteſtant cauſe, and keep them under; to which purpoſe, a new court of inquiſition was erected, under the name of an eccleſiaſtical commiſſion directed to the archbiſhop of *Canterbury*, the lord chancellor *Jefferies*, the earl of *Rocheſter*, and the earl of *Sunderland*, the biſhops of *Durham* and *Rocheſter*, the lord chief juſtice *Herbert*, which impowered them to exerciſe all manner of eccleſiaſtical juriſdiction in the fulleſt manner. The archbiſhop of *Canterbury* excuſed himſelf from the beginning, as did the biſhop of *Rocheſter*, as ſoon as he underſtood it was levelled againſt the proteſtant religion; ſo that *Jefferies*, and the biſhop of *Durham*, &c. were left to do all the dirty work themſelves.

The firſt act of authority (if ſo illegal a court may pretend to authority in any thing) was againſt the biſhop of *London*: Dr. *Sharp*, afterwards archbiſhop of *York*, had taken the freedom to vindicate the proteſtant religion, and ſpeak againſt the corruptions of the church of *Rome*: This was interpreted at court, an endeavour to beget in the minds of the hearers an ill opinion of the king and his government; and therefore, to rebuke the doctor, and terrify others, the king ſends an expreſs order to the biſhop of *London* to ſuſpend Dr. *Sharp*; the biſhop excuſed himſelf, it being againſt law; for

which he was ſuſpended himſelf, by the high commiſſion, as was alſo Dr. *Sharp*.

But yet all was not right, the king ſaw his authority diſputed, even by the divines of the church of *England*, that had formerly talked ſo loudly for paſſive obedience: He found his doctors could make no great progreſs in converting, therefore reſolved upon more forcible arguments; to which end, he drew together fourteen or fifteen thouſand of his troops, and forms a camp at *Hounſlow-heath*, erecting a chapel at his head quarters, where maſs was ſaid every day; and now every body expected ſwords and muſkets muſt ſerve in ſtead of ſcripture and ſyllogiſms; which ſome the rather feared, becauſe the *French* king had lately revoked the edict of *Nantz*, and ſet upon the converſion of his *Hugonot* ſubjects by dragooning, thereby ſhewing the way to his brother in *England*; and it ſeems, by a ſpeech made to him at *Verſailles* by a *French* biſhop (which was printed by king *Lewis*'s authority, and the tranſlation allowed by king *James* to go among his ſubjects) it was expected he ſhould aſſiſt in the ſame work here; the ſpeech-maker having magnifyed the king, for his zeal in ſuppreſſing the proteſtant religion in his kingdom, tells his majeſty, "That *England* offered him one of the moſt glo-
"rious occaſions he could wiſh for, and that the
"king of *England* wanted nothing but the ſupport
"of his arms, to ſettle the catholick religion?" And indeed it was *Engliſh* arms, and *French* arms together that they truſted to.

In the latter end of the year 1686, the earl of *Caſtlemain* was ſent to *Rome*, as extraordinary embaſſador, with inſtructions to reconcile the kingdoms of *England*, *Scotland*, and *Ireland*, to the holy ſee; though 'tis ſaid, the politick father *Innocent* XI. received this embaſſy but coldly, and pitied king *James*'s

James's raſhneſs, and haſty zeal, apprehending he drove too furiouſly.

The king having thus pretty well fixed, as he thought, the great rule of his future government, arbitrary power; he went on to exerciſe it towards both univerſities: He ſent a mandate to *Cambridge*, to admit one *Abban Francis* a benedictine monk, to the degree of maſter of arts, without taking the uſual oaths; his majeſty having diſpenſed with *Francis*, for not having that neceſſary qualification. The vice-chancellor, and others of the body, repreſented to his majeſty the oaths they were under, not to admit any to degrees without legal qualifications, and they humbly hoped his majeſty would not force them to wilful perjury. But this remonſtrance availed nothing, the vice-chancellor was ſuſpended by the high commiſſion court, for diſobedience to the king's command, as *Jefferies* ſignified to him when he paſſed the ſentence.

Next, the ſtorm broke out on *Oxford*; the Preſident of *Magdalen* college being dead, the king by his mandate, required them to chuſe one *Farmer*, a man of an ill reputation, and that had promiſed to declare himſelf a papiſt; which they could not do without deliberate perjury, *Farmer* not being qualified according to the ſtatutes of their college, which they had ſworn to obſerve; accordingly they repreſented their caſe to the king, but in vain; and afterwards gave their reaſons more fully to the high commiſſion, before whom they were cited: One of the fellows, Dr. *Fairfax*, was ſo bold as to except againſt the authority of the court, alledging that the matter did not lie in that court, but *Weſtminſter-hall*: To which *Jefferies* replied, he was a doctor of divinity, but not of law; whereupon the doctor added, he deſired to know by what authority they ſat, which put *Jefferies* into ſo great a paſſion, that he cried out, What commiſſion have you to be ſo impudent

impudent in court? This man ought to be kept in a dark room; why do you ſuffer him without a guardian? *&c.* After another hearing of the matter, the vice-preſident, Dr. *Aldworth*, with Dr. *Fairfax*, was ſuſpended; and Dr. *Hough*, whom they had choſen preſident, deprived of his preſidentſhip; and the fellows of the college were ordered to ſee the ſentence executed and fixed to the gates of their college; which they neglecting to do, where cited before the commiſſioners at *Whitehall*; but the court being aſhamed of *Farmer*, the king by a freſh mandate, orders them to chuſe Dr. *Parker*, the biſhop of *Oxford*, one devoted to the court intereſt; but the fellows were under the ſame neceſſity, either of being perjured, or diſobedient to the king, which they repreſented to him, upon his majeſty's coming to *Oxford* in perſon, on their knees; beſeeching him to extend the ſame tenderneſs to them he did to his other ſubjects: The king raged at this, and expreſſed his reſentment in the following terms.

" You have been a ſtubborn and turbulent col-
" lege, I have known you to be ſo theſe twenty
" ſix years; you have affronted me in this ———
" Is this your church of *England* loyalty? One
" would wonder to find ſo many church of *Eng-*
" *land* men in ſuch a buſineſs; go home, and ſhew
" yourſelves good members of the church of *Eng-*
" *land.* ——— Get you gone. ———Know I am
" your king, and will be obeyed. Go and admit
" the biſhop of *Oxford* head, principal, what do
" you call it? of your college; (one that ſtood by
" ſaid, preſident) I mean preſident of the college;
" let them that refuſe it look to it, they ſhall feel
" the weight of their ſovereign's power.

But neither the king's threats, nor his agents could work upon the college to a ſubmiſſion; ſo that at laſt, Dr. *Hough*, and twenty five fellows were

were ſuſpended, and declared incapable of any eccleſiaſtical benefice, or promotion: And thus did king *James*, to ſerve mother-church, diſpenſe not only with laws, but oaths.

But that which gave the loudeſt and moſt effectual alarm to the nation, was, the impriſoning ſeven biſhops in the tower: The king thought fit to renew his declaration for liberty of conſcience, and by an order of council commanded it to be read in all churches and chapels at the time of divine ſervice; and the biſhops were obliged to diſtribute the declarations, and cauſe them to be read. Several of the biſhops complied, and 'tis ſaid, the biſhop of *Durham* ſuſpended thirty miniſters of his diocele, for not reading the declaration: But ſeveral refuſed, looking upon the matter of the declaration illegal; the foot upon which it ſtood, being a power to diſpenſe with all ſorts of laws, which is contrary to the end in making them: The archbiſhop of *Canterbury* Dr. *Sancroft*, and ſix more, drew up a petition to the king, in which they modeſtly repreſented, "That their non-compliance did not proceed from want of loyalty, nor from any want of due tenderneſs towards diſſenters; in relation to whom, they were willing to come to ſuch a temper as ſhould be thought fit, when the matter ſhould be conſidered in parliament and convocation; but they could not do it; chiefly, becauſe the declaration was founded upon ſuch a power as had been often declared illegal in parliament, particularly in the year 1662, and 1672, and in the beginning of his majeſty's reign." The king was angryat this, told them, he did not expect it from the church of *England*, eſpecially from ſome of them; and after *Jefferies* had hectored them before the council, they were committed to the tower; and ſometime after were brought to their trial, and acquitted, to the great mortification of the court, and the no leſs rejoicing of the proteſtants: The

ſhouts

ſhouts of the people reached the ſoldiers at *Hounſlow-heath*, and was ſo ecchoed by them, that the king hearing the acclamations, ſent to know what was the matter; the earl of *Feverſham* told him, nothing, but the ſoldiers ſhouting upon the biſhops being acquitted; And do you call that nothing, ſays the king?

Every body will imagine, that under the encouragement of ſo zealous a patron, the prieſts of the church of *Rome* would beſtir themſelves, and that no endeavours would be omitted to propagate their faith; they filled the country and city with their chatechiſms and manuals of devotion, and with a great deal of cunning, repreſented their doctrines to the world, gloſſing them over with ſo much art, that a vulgar eye could not diſtinguiſh them: In the mean time, the groſſer errors were concealed from the people, and the cloven foot kept out of ſight; popiſh ſchools abounded up and down the kingdom, *Magdalen* college is given into their hands; Dr. *Gifford* of the faculty of *Paris*, being made preſident: An houſe was provided for entertaining 200 popiſh orphans, under the direction of the benedictine monks of St. *James*'s; ſeveral were encouraged to turn papiſts, by a weekly allowance paid them for that purpoſe. Father *Petre* was deſigned to be archbiſhop of *York*, and indeed popery, tho' it utterly diſabled, according to law, was now the only ſtep to preferment. The king cloſeted ſeveral noblemen, and dealt with them about their converſion; the marquis of *Hallifax*, lord *Dorſet*, and *Lumley* received letters from an unknown hand, threatning ſudden death unleſs they made peace with God and the king, by reconciling themſelves to the *Roman* catholick church.

Nor were the king's intentions any longer diſſembled; things were now acted above board, inſomuch, that the pope's *nuntio* made his publick entry

entry through the ſtreets of *London*, at noon day, in great pomp, preceded by a croſs-bearer, and attended by a flock of prieſts and monks, in the habits of their reſpective orders. The duke of *Somerſet* was appointed by the king to attend the *nuncio* to his audience; but deſired his majeſty to excuſe him from countenancing any act the law of the land made criminal; upon which he loſt his place of firſt gentleman of the bed-chamber; yet, adds Dr. *Kennet*, a biſhop of the church, or rather of the court, is ſaid to have made no ſcruple in this matter, but to have made up part of the *nuntio*'s train.

But leaſt the reader ſhould imagine the tyrranies of this monarch miſrepreſented, I will here ſubjoin the teſtimony of the whole commons of *Great Britain*, in their declaration of right, after that prince had abdicated the throne; and it will ſerve to ſhew likewiſe, what the ſubjects gained by the revolution, and how neceſſary ſuch a meaſure had become.

" Whereas, the late king *James* II. by the aſ-
" ſiſtance of evil councellors, judges, and miniſters
" employed by him, did endeavour to ſubject and
" extirpate the poteſtant religion, and the laws and
" liberties of this kingdom,

By aſſuming and exerciſing a power of diſpenſing with, and ſuſpending of laws, and the execution of laws, without conſent of parliament,

By committing and proſecuting divers worthy prelates, for humbly petitioning to be excuſed from concurring to the ſaid aſſumed power,

By iſſuing, and cauſing to be executed, a commiſſion under the great ſeal, for erecting a court called, the court of commiſſion for eccleſiaſtical affairs,

By levying money for and to the uſe of the crown, by pretences of prerogative, for other

time, and in other manner, than the ſame was granted by parliament,

By raiſing and keeping a ſtanding army within the kingdom in time of peace, without conſent of parliament, and quartering ſoldiers contrary to law.

By cauſing ſeveral good ſubjects, being proteſtants, to be diſarmed at the ſame time when papiſts were both armed and employed contrary to law.

By violating the freedom of election of members to ſerve in parliament,

By proſecutions in the court of king's-bench, for matters and cauſes cognizable only in parliament, and by divers other illegal and arbitrary courſes.

And whereas of late years, partial, corrupt and unqualified perſons have been returned and ſerved on juries in trials for high treaſon, which were not freeholders,

And exceſſive bail hath been required of perſons committed in criminal cauſes, to elude the benefit of the laws for the liberty of the ſubject,

And exceſſive fines have been impoſed,

And illegal and cruel puniſhments inflicted,

And ſeveral grants and promiſes made of fines and forfeitures, before any conviction or judgment againſt whom the ſame was to be levied: All which are utterly and directly contrary to the known laws; and ſtatutes, and freedom of this realm,

And whereas, the late king *James* II. having abdicated the government, and the throne being thereby vacant,

His highneſs the prince of *Orange*, whom it hath pleaſed almighty God to make the glorious inſtrument of delivering this kingdom from popery and arbitrary power, did, by the advice of the lords ſpiritual and temporal, and divers principal perſons of the commons, cauſe letters to be written to the lords ſpiritual and temporal, being proteſtants, and other letters to the ſeveral counties, cities, univerſities,

ſities, boroughs and cinque-ports, for the chuſing ſuch perſons to repreſent them, as were of right to be ſent to parliament, to meet and ſit at *Weſtminſter, January* 22, 1689, in order to ſuch an eſtabliſhment, as that their religion, laws and liberties might not be again in danger of being ſubverted; upon which letters, elections have been accordingly made.

And thereupon, the ſaid lords ſpiritual and temporal and commons, purſuant to their reſpective letters and elections, being now aſſembled in a full and free repreſentation of this nation, taking into their moſt ſerious conſideration, the beſt means for the attaining the ends aforeſaid, do, in the firſt place, as their anceſtors in the like caſes have uſually done, for the vindicating their ancient rights and liberties, declare,

That the pretended power of ſuſpending laws, or the execution of laws by regal authority, without conſent of parliament, is illegal.

That the pretended power of diſpenſing laws, or the execution of laws, by regal authority, as it hath been aſſumed and exerciſed of late, is illegal.

That the commiſſion for erecting the late court of commiſſioners for eccleſiaſtical cauſes, and all other commiſſions and courts of like nature, are illegal and pernicious.

That levying money to or for the uſe of the crown, by pretence of prerogative, without grant of parliament, for longer time, or in any other manner than the ſame is or ſhall be granted, is illegal.

That it is the right of the ſubject to petition the king, and all commitments and proſecutions for ſuch petitioning, are illegal.

That the raiſing and keeping a ſtanding army within the kingdom, in time of peace, unleſs it be by conſent of parliament, is againſt law.

That the ſubjects, being proteſtants, may have arms for their defence, ſuitable to their condition, and as allowed by law.

That the election of members of parliament ought to be free.

That the freedom of ſpeech, or debates and proceedings in parliament, ought not to be impeach'd or queſtion'd in any court or place out of parliament.

That exceſſive bail ought not to be requir'd, nor exceſſive fines impoſed, nor cruel and unuſual puniſhments inflicted.

That jurors ought to be duly impannel'd and return'd; and jurors, which paſs upon men in trials for high treaſon, ought to be free-holders.

And that, for redreſs of all grievances, and for the amending, ſtrengthening, and preſerving of the laws, parliaments ought to be held frequently.

And they do claim, demand, and inſiſt upon all and ſingular the premiſſes as their undoubted rights and privileges; and that no declarations, judgments, doings, or proceedings, to the prejudice of the people in any of the ſaid premiſſes, ought in any wiſe to be drawn hereafter in conſequence or example.

I now proceed to compare the trials for high treaſon, carried on before and ſince the revolution; and I will only inſtance, as to peers, the trial of the great and good lord *Ruſſel*, and the recent one, of the late lord *Lovat*.

The firſt was tried for having over-heard a converſation relating to ſeizing the king's guards. The whole of that proteſtant plot is now ſo well known to have been a fiction, and a counter part of the popiſh one, with a view to ſacrifice the beſt patriot that ever bleſt old *England*, to the revenge of the duke of *York*, that I need not lay it before the reader: But, ſuppoſing it true, the part that was acted

acted by my lord *Ruſſel* could amount to no more than miſpriſion of treaſon; yet a jury, none of which were free-holders, was pick'd; the judges declar'd the crime high treaſon; infamous witneſſes were ſworn, and the innocent blood of that martyr for liberty ſhed. But I will give a few particulars from biſhop *Burnet*.

" The lord *Ruſſel*'s trial was fixed for ——day; a jury was returned that conſiſted of citizens of *London*, who were not free-holdets; So the firſt point argued in law, was, whether this could be a legal jury. The ſtatute was expreſs; and the reaſon was, that none but men of certain eſtates might try a man upon his life. It was anſwered, that the practice of the city was to the contrary, upon the very reaſon of the law; for the richeſt men of the city were often no free-holders, but merchants, whoſe wealth lay in their trade and ſtock: So this was over-rul'd, and the jury was ſworn. They were pick'd out with great care, being men of fair reputation in other reſpects; but ſo engaged in the party for the court, that they were eaſy to believe any thing on that ſide. *Rumſey*, *Shepherd*, and lord *Howard*, were the witneſſes, who depoſed according to what was formerly related. *Shepherd* ſwore, lord *Ruſſel* was twice at his houſe, tho' he was never there but once. And when lord *Ruſſel* ſent him word, after his ſentence, that he forgave him all he had ſworn againſt him, but that he muſt remember he was never within his doors but one ſingle time: To which all the anſwer *Shepherd* made, was, that all the while he was in court, during the trial, he was under ſuch a confuſion, that he ſcarce knew what he ſaid. Both *Rumſey* and he ſwore, that lord *Ruſſel* had expreſſed his conſent to the ſeizing on the guards, tho' they did not ſwear any one word that he ſpoke, which imported it: So that here a man was convicted of treaſon for being preſent by accident,

or

or for an innocent purpoſe, where treaſonable matter was diſcourſed, without bearing a part in that diſcourſe, or giving any aſſent by words, or otherwiſe, to what was ſo diſcourſed; which, at the moſt, amounts to miſpriſion, or concealment of treaſon only. As lord *Howard* began his evidence, the news of the earl of *Eſſex*'s death came to the court: Upon which lord *Howard* ſtopped, and ſaid, He could not go on till he gave vent to his grief, in ſome tears. He ſoon recover'd himſelf, and told all his ſtory. Lord *Ruſſel* defended himſelf by many compurgators, who ſpoke very fully of his great worth, and that it was not likely he would engage in ill deſigns. Some others beſides myſelf teſtified, how ſolemnly lord *Howard* had denied his knowledge of any plot, upon its firſt breaking out. *Finch*, the ſollicitor-general, ſaid, No regard was to be had to that, for all witneſſes denied at firſt. It was anſwered, If theſe denials had been only to a magiſtrate, or at an examination, it might be thought of leſs moment: But ſuch ſolemn denials, with aſſeverations, to friends, and officiouſly offered, ſhewed that ſuch a witneſs was ſo bad a man, that no credit was due to his teſtimony. It was alſo urged, that it was not ſworn by any of the witneſſes, that lord *Ruſſel* had ſpoken any ſuch words, or words to that effect: And, without ſome ſuch indication, it could not be known that he hearkened to the diſcourſe, or conſented to it. Lord *Ruſſel* alſo aſked, upon what ſtatute he was tried? If upon the old ſtatute of the twenty-fifth of *Edward* the third, or if upon the ſtatute made, declaring what ſhall be held treaſon during the king's reign? They could not rely on the laſt, becauſe of the limitation of time in it. Six months and ſomething more were paſſed ſince the time of theſe diſcourſes: So they relied on the old ſtatute. Upon which he was aſked, where was the *overt-act*? For none appeared. It was alſo ſaid,

that,

that, by that ſtatute, the very imagining the king's death, when proved by an *overt-act*, was treaſon: But it was only the levying war, and not the imagining to levy war againſt the king, that was treaſon by that ſtatute. *Cook* and *Hale* were of this opinion, and gave their reaſons for it. And, it ſeemed, the parliament that paſs'd the act of treaſon during the preſent reign were of that mind; for they enumerated conſultations to raiſe war among thoſe things which were declared to be treaſon during that reign: This ſhewed that they did not look on them as comprehended within the old ſtatute. The king's counſel pretended, that conſultations to ſeize on the guards were an *overt-act* of a deſign againſt the king's perſon. But thoſe forces that had got the deſignation of guards appropriated to them, are not the king's guards in law: They are not ſo much as allowed of by law: For even the lately diſſolved long parliament, that was ſo careful of the king, and ſo kind to him, would never take notice of the king's forces, much leſs call them his guards. The guards were only a company of men in the king's pay: So that a deſign to ſeize on them amounted to no more, than to a deſign to ſeize on a part of the king's army: But the word guards ſounded ſo like a ſecurity to the king's perſon, that the deſign againſt them was conſtructed a deſign againſt his life: And yet none of the witneſſes ſpoke of any deſign againſt the king's perſon. Lord *Howard* ſwore poſitively, that they had no ſuch deſign. Yet the one was conſtructed to be the natural conſequence of the other. So that, after all the declaiming againſt a conſtructive treaſon in the caſe of lord *Strafford*, the court was always running into it, when they had aim'd to deſtroy any that ſtood in their way. Lord *Ruſſel* deſir'd that his counſel might be heard to this point, of ſeizing the guards: But that was denied, unleſs he would confeſs the fact:

fact: And he would not do that, becauſe, as the witneſſes had ſworn it, it was falſe. He once intended to have related the whole fact, juſt as it was; but his counſel advis'd him againſt it. Some of his friends were for it; who thought that it could amount to no more than a concealment and miſpriſion of treaſon. Yet the counſel diſtinguiſhed between a bare knowledge, and a concealing that, and a joining deſignedly in counſel with men that did deſign treaſon: For, in this caſe, tho' a man ſhould differ in opinion from a treaſonable propoſition, yet his mixing in council with ſuch men, will, in law, make him a traitor. Lord *Ruſſel* ſpoke but little: Yet in few words he touched on all the material points of law that had been ſuggeſted to him. *Finch* ſumm'd up the evidence againſt him: But in that, and in ſeveral other trials afterwards, he ſhewed more of a vicious eloquence, in turning matters with ſome ſubtlety againſt the priſoners, than of ſolid and ſincere reaſoning. *Jefferies* would ſhew his zeal, and ſpeak after him; but it was only an inſolent declamation, ſuch as all his were, full of fury and indecent invectives. *Pemberton* was the head of the court, the other bench not being yet filled. He ſummed up the evidence at firſt very fairly; but, in concluſion, he told the jury, that a deſign to ſeize the guards was ſurely a deſign againſt the king's life. But tho' he ſtruck upon this, which was the main point, yet it was thought that his ſtating the whole matter with ſo little eagerneſs againſt lord *Ruſſel*, was that which loſt him his place: For he was turned out ſoon after. Lord *Ruſſel*'s behaviour, during the trial, was decent and compoſed; ſo that he ſeemed very little concerned in the iſſue of the matter. He was a man of ſo much candour, that he ſpoke little as to the fact: For ſince he was adviſed not to tell the whole truth, he could not ſpeak againſt that which

he knew to be true, tho', in ſome particulars, it had been carried beyond the truth. But he was not allowed to make the difference; ſo he left that wholly to the jury, who brought in their verdict againſt him; upon which he received ſentence.

Tillotſon was oft with him the laſt week; we thought the party had gone too quick in their conſultations, and too far; and that reſiſtance, in the condition we were then in, was not lawful. He ſaid he had not leiſure to enter into diſcourſes of politicks; but he thought a government, limited by law, was only a name, if the ſubjects did not maintain thoſe limitations by force; otherwiſe all was at the diſcretion of the prince; which was contrary to all the notions he had lived in, of our government. But he ſaid, there was nothing among them but embrio's of things that were never like to have any effect, and that were now quite diſſolved. He thought it was neceſſary for him to leave a paper behind him at his death; and, becauſe he had not been accuſtomed to draw ſuch papers, he deſired me to give him a ſcheme of the heads fit to be ſpoken to, and of the order in which they ſhould be laid: Which I did. And he was three days employed, for ſome time in the morning, to write out his ſpeech. He ordered four copies to be made of it; all which he ſigned; and gave the original, with three of the copies, to his lady, and kept the other to give the ſheriffs on the ſcaffold. He writ it with great care: And the paſſages that were tender he writ in papers apart, and ſhewed them to his lady, and to myſelf, before he writ them out fair. He was very eaſy when this was ended. He alſo writ a letter to the king, in which he aſked pardon for every thing he had ſaid or done contrary to his duty, proteſting he was in-

 nocent

nocent as to all deſigns againſt his perſon or government, and that his heart was ever devoted to that which he thought was his true intereſt. He added, that tho' he thought he had met with hard meaſure, yet he forgave all concerned in it from the higheſt to the loweſt; and ended, hoping that his Majeſty's diſpleaſure at him would ceaſe with his own life, and that no part of it ſhould fall on his wife and children. The day before his death he received the ſacrament from *Tillotſon* with much devotion; and I preached two ſhort ſermons to him, which he heard with great affection. And we were ſhut up till towards the evening.

Then he ſuffered his children that were very young, and ſome few of his friends, to take leave of him; in which he maintain'd his conſtancy of temper; tho' he was a very fond father. He alſo parted with his lady with a compoſed ſilence: And, as ſoon as ſhe was gone, he ſaid to me, The bitterneſs of death is paſt: For he loved and eſteemed her beyond expreſſion; as ſhe well deſerved it in all reſpects. She had the command of herſelf ſo much, that at parting ſhe gave him no diſturbance. He went into his chamber about midnight; and I ſtaid all night in the outward room. He went not to bed till about two in the morning; and was faſt aſleep at four; when, according to his order, we called him. He was quickly dreſſed; but would loſe no time in ſhaving: For, he ſaid, he was not concerned in his good looks that day.

He was not ill pleaſed with the account he heard that morning of the manner of *Walcot*'s death, who, together with one *Hone* and *Rowſe*, had ſuffered the day before. Theſe were condemned upon the evidence of the witneſſes. *Rumſey* and *Weſt* ſwore fully againſt *Walcot*: He had alſo writ a letter to the ſecretary, offering to make diſcoveries; in which, he ſaid, the plot was laid deep and wide.

Walcot

Walcot denied, at his death, the whole buſineſs of the *Rye* plot, and of his undertaking to fight the guards, while others ſhould kill the king. He ſaid *Weſt* had often ſpoken of it to him in the phraſe of lopping; and that he always ſaid, that he would not meddle in it, and that he looked on it as an infamous thing, and as that which the duke of *Monmouth* would certainly revenge; tho' *Weſt* aſſured him that the duke had engaged under his hand to conſent to it. This confeſſion of *Walcot*'s, as it ſhewed himſelf very guilty, ſo it made *Weſt* appear ſo black, that the court made no more uſe of him. *Hone*, a poor tradeſman in *London*, who, it ſeems had ſome heat, but ſcarce any ſenſe in him, was drawn in by *Keeling*, and *Lee*, another witneſs, who was alſo brought in by *Keeling* to a very wild thing, of killing the king, but ſparing the duke, upon this conceit, that he would be in leſs danger in being under a profeſſed papiſt, than under the king. *Hone* had promiſed to ſerve in the execution of it, but neither knew when, where, or how it was to be done: So, tho' he ſeemed fitter for a bedlam than a trial, yet he was tried the day before the lord *Ruſſel*, and ſuffered with the others the day before him. He confeſſed his own guilt; but ſaid, thoſe who witneſſed againſt him had engaged him in that deſign, for which they now charged him; but he knew nothing of any other perſons, beſides himſelf and the two witneſſes. The third was one *Rowſe*, who had belonged to *Player*, the chamberlain of *London*, againſt whom *Lee* and *Keeling* ſwore the ſame things. He was more affected with the ſenſe of the heat and fury with which he had been acted, than the others were: But he denied that he was ever in any deſign againſt the king's life. He ſaid, the witneſſes had let fall many wicked things of that matter in diſcourſe with him: So that he was reſolved to diſcover them, and was only waiting till he could find

out the bottom of their designs: But that now they had prevented him. He vindicated all his acquaintance from being any way concerned in the matter, or from approving such designs. These men, dying as they did, was such a disgrace to the witnesses, that the court saw it was not fit to make any further use of them. Great use was made of the conjunction of these two plots, one for a rising, and another for an assassination. It was said, that the one was that which gave the heart and hope to the other black conspiracy: By which they were over all *England* blended together as a plot within a plot; which cast a great load on the whole party.

Upon some occasions, as at table, or when his friends came to see him, he was decently chearful. I was by him when the sheriffs came to shew him the warrant for his execution. He read it with indifference; and, when they were gone, he told me, it was not decent to be merry with such a matter, otherwise he was near telling *Rich* (who, tho' he was now of the other side, yet had been a member of the house of commons, and had voted for the exclusion) that they should never sit together in that house any more to vote for the bill of exclusion. The day before his death he fell a bleeding at the nose: Upon that he said to me pleasantly, I shall not now let blood to divert this; that will be done to-morrow. At night it rained hard: And he said, such a rain to-morrow will spoil a great shew, which was a dull thing in a rainy day. He said, the sins of his youth lay heavy upon his mind: But he hoped God had forgiven them; for he was sure he had forsaken them, and for many years he had walked before God with a sincere heart: If, in his publick actings he had committed errors, they were only the errors of his understanding; for he had no private ends, nor ill designs of his own, in them: He was still of opinion that the king was limited by law,

law, and that, when he broke thro' thoſe limits, his ſubjects might defend themſelves, and reſtrain him: He thought a violent death was a very deſirable way of ending one's life: It was only the being expoſed to be a little gazed at, and to ſuffer the pain of one minute, which he was confident, was not equal to the pain of drawing a tooth. He ſaid, he felt none of thoſe tranſports that ſome good people felt; but he had a full calm in his mind, no palpitation at heart, nor trembling at the thoughts of death. He was much concerned at the cloud that ſeemed to be now over his country: But he hoped his death ſhould do more ſervice, than his life could have done. This was the ſubſtance.

Lord *Ruſſel* ſeemed to have ſome ſatisfaction to find that there was no truth in the whole contrivance of the *Rye* plot: So that he hoped that infamy, which now blaſted their party, would ſoon go off. He went into his chamber ſix or ſeven times in the morning, and prayed by himſelf, and then came out to *Tillotſon* and me: He drank a little tea and ſome ſherry. He wound up his watch, and ſaid, now he had done with time, and was going to eternity. He aſked what he ſhould give the executioner: I told him ten guineas. He ſaid, with a ſmile, it was a pretty thing to give a fee to have his head cut off.

In oppoſition to this, take the fair impartial trial of the late lord *Lovat*, before the higheſt tribunal on earth. I ſhall ſubjoin the articles of impeachment, and that lord's replication, with this view alone, to ſhew the world his treachery and deceit to the laſt moments of his life: He urges his attachment to our preſent ſovereign king *George*; and, on the ſcaffold, acknowledges all the charges of treaſon to be true, by averring that he died in a good cauſe, *&c.* How different the characters of the innocent lord *Ruſſel*, and that traitor, ſo eſteemed by the enemies of the king.

And

And as to his behavior when he came to die, compare the accounts of the two, it will be found the one was heroical, compoſed and pious. — The other the effect of continued deceit, and of a vanity to be remembred.

" Whereas, the imperial crown and government of theſe kingdoms, have been long and happily eſtabliſhed in his preſent majeſty's royal family, upon principles equally conducive to the honour and ſafety of the crown, and to the protection and liberty of the ſubject, whereby ſettled laws are made the common meaſure of juſtice to both, and a wiſe prerogative has been aſcertained and ſecured; of the happy effects of which principles, the reigns of his preſent majeſty, and his royal father have given the ſtrongeſt and moſt illuſtrious proofs.

Notwithſtanding which, there have been found many wicked and ungrateful perſons, who have been weak and deſperate enough to contrive the ſubverſion of this happy eſtabliſhment; and have laid hold of the opportunity, ariſing from the juſt, but difficult wars we are engaged in, to renew their conſpiracies for bringing their purpoſes to effect, by raiſing a rebellion at home.

And whereas, in concert with the ſaid traitors, a great number of *French* troops with the eldeſt ſon of the pretender, were ready, and had in part embarked, and actually ſet ſail to invade this kingdom, in 1743, but were prevented by his majeſty's wiſe precautions, and the good Providence of almighty God.

And whereas, the ſame traitors, hoping that the *French* would be able to invade this kingdom, and at the ſame time prevent the return of his majeſty's troops from abroad, did in the year 1745, encourage the ſaid eldeſt ſon of the pretender to land in this kingdom, who did actually land in *Scotland*, and did commence and carry on, for a con-

conſiderable time, a cruel and bloody war againſt his majeſty, which has at laſt been happily ſuppreſſed.

ART. 1. *Simon* lord *Lovat*, did, upon *December* 31, 1743, in the ſhire of *Inverneſs*, and on the 28th of *October* 1745, in the ſame ſhire, and at divers other days, times, and places, traiterouſly compaſs and imagine the death of his majeſty.

ART. 2. And for accompliſhing his ſaid traiterous purpoſe, he the ſaid *Simon*, upon the ſaid 31ſt of *December* 1743, in the ſhire of *Inverneſs* aforeſaid, did traiterouſly correſpond with the ſaid pretender, and accept a commiſſion to be lieutenant-general of his forces, and another commiſſion to be general of the *Highlanders*; and did alſo accept a patent or grant, importing to create him duke of *Frazer*; and did enter into an aſſociation to raiſe a rebellion, and to obtain troops, money, and ſuccours from *France*, for that purpoſe.

ART. 3. And the ſaid *Simon* did traiterouſly aſſemble himſelf, with divers others, againſt our ſaid ſovereign lord the king, being armed and arrayed in a warlike manner; and did raiſe, or cauſe to be raiſed, great numbers of armed men, for the ſervice of the ſaid pretender and his ſon.

ART. 4. And he the ſaid *Simon* did, in the month of *November* 1745, traiteoruſly write and ſend, or cauſe to be written and ſent, a treaſonable letter to the ſaid pretender's eldeſt ſon, then in arms within this kingdom, in which he expreſſed the great pleaſure it would give him to end his days in the ſervice of the ſaid pretender's ſon; that he was reſolved to ſend him his, the ſaid *Simon*'s, eldeſt ſon, to verture his life in his ſervice, and deliver up his clan to him; and further expreſſed his own great zeal for the pretender and his cauſe, and the ſervice he haddone, was doing, and intended to do, with intent

to

to encourage him, the ſaid pretender, his ſaid ſon, and his adherents, in the proſecution of their traiterous deſigns.

ART. 5. And the ſaid *Simon* did, after the rebellion began, write, and ſend, and cauſe to be written, and ſent, divers other treaſonable letters, and papers, to divers falſe traitors, and other perſons, to aſſure them of his own zeal for the pretender's cauſe, and to perſwade them to engage, or continue in the ſaid rebellion, and to aſſure them of his aſſiſtance.

ART. 6. And the ſaid *Simon* did traiterouſly aid and aſſiſt the ſaid pretender's ſaid ſon, and the other rebels; and did provide them with arms, and other things neceſſary for that purpoſe; and alſo ſent his eldeſt ſon, and many of his dependants to his aſſiſtance, and gave them advice and inſtructions in the proſecution of the ſaid rebellion.

ART. 7. And the ſaid *Simon* did keep correſpondence, both in perſon, and by letters, and otherwiſe, with the ſaid pretender's eldeſt ſon, well knowing him to be ſo, and alſo with divers other perſons, particularly *John Murray* of *Broughton*, Eſq; and divers others employed in the ſaid rebellion, well knowing them to be ſo employed.

All which treaſons were committed by the ſaid *Simon* lord *Lovat*, againſt our ſaid preſent ſovereign, contrary to the duty of his allegiance, and againſt the laws of this kingdom.

Of all which ſaid treaſons, the knights, *&c.* in parliament aſſembled, do in the name of themſelves, and all the commons of *Great Britain*, impeach the ſaid *Simon* lord *Lovat*.

And the ſaid commons, by proteſtation, ſaving, *&c. &c.*

The priſoner's anſwer was to this effect.

That being as fully ſenſible as any *Britiſh* ſubject, of the many bleſſings theſe kingdoms have enjoyed under his preſent and late majeſty's mild adminiſtration, and having in the rebellion of 1715, given the ſtrongeſt proofs of his zeal for his late majeſty, and the ſucceſſion of the crown in his illuſtrious family, againſt ſuch as had undertaken the deſtruction of both, he could not but lament his misfortune, to have his fidelity queſtioned at the end of his days, and himſelf, when near worn out with age and infirmities, charged with intending the ſubverſion of a government he had, in the ſtrength and vigour of his age, exerted his utmoſt power and addreſs to ſupport. Under this heavy preſſure, attended with many other calamities and misfortunes, particularly his own inability to manage his defence, his only reſource was in their lordſhip's juſtice.

After which, he denied, article by article, the ſeveral facts charged againſt him; and concluded with averring, that he was not guilty.

As to his behaviour after ſentence of death was paſt; if we are to credit the accounts already publiſhed, it was neither decent or religious: His jeſts are mean, low, and affected, and as to his hopes of happineſs, if we take his word for it, *to his barber*, he was to be in heaven, without a ſtop at purgatory. His conduct reſembled the whole of his life, which was to deceive, and to act the reverſe to his real intentions and deſign.

I here intended to have drawn a parallel betwixt the trial of that brave patriot the earl of *Argyle*, grandfather to the preſent moſt noble duke, who fell a ſacrifice to popiſh rage, for no other reaſon, but becauſe he had too much ſenſe, not to perceive the conſequences of the teſt act, and too

much honeſty to take it without an explication. I ſay, I intended to have drawn this parallel along with the trials of the three lords condemned laſt ſeſſion of parliament; but I refer to the biſhop of *Sarum*'s account of the one, and the printed trials of the others.

Indeed I am obliged to be ſilent, where there is ſuch variety that fill volumes, with ſcenes of horror, bloodſhed, and tyranny, but as the Jacobites have been very free, in their ſcurrilous way, to abuſe the government for the execution of a few rebel officers, I muſt notice, that their beloved king cauſed to be burnt alive Mrs. *Elizabeth Gaunt*, for harbouring one *Burton*, who had been with *Monmouth*; and Mrs. *Liſle* was beheaded, for no crime, but entertaining one *Hicks* a clergyman, who was not in any proclamation. Compare with this the merciful treatment ſhewn to Miſs *Flora Mac Donald*, who harboured the king's greateſt enemy, and to *Jenny Cameron*, who aſſiſted him with men, and attended him in his expedition. — Think on the royal mercy they have met with, and be aſhamed! As to the executions in the reign of king *James* II. they are horrible to relate. *Kirk* hanged many without the leaſt form of law, and particularly thirty; ten at a time, with a health to the king, ten with a health to the queen, and ten with an health to *Jefferies*.

The biſhop of *Sarum* ſays, that 600 were hanged in one aſſizes, and what added to the cruelty, was, that the bloody *Jefferies* perſwaded moſt of them to plead guilty, with hopes of pardon, and yet theſe poor wretches, were many of them, hurried from the bar to execution directly.

The author of the hiſtory of king *William*, vol. 1. p. 168, ſays, " And tho' wiſe and good princes, " content themſelves, on ſuch occaſions, with pu- " niſhing the ringleaders, and ſome few adherents:

" Now

" Now by a barbarity, not to be paralleled in the " reigns of *Nero*, *Caligula*, and the moſt celebrated " tyrants, not only thoſe who had been ac- " tually in arms with the duke of *Monmouth*, but " even thoſe who had *any way aſſiſted*, or ſo much as " harboured them (whether forced or not) were " equally involved in the crime of his inſurrection. " —Poſterity will hardly believe the cruelties com- " mitted by the lord chief juſtice *Jefferies*, *&c.*" A conſtable was hanged for executing *Monmouth*'s warrant, which he was compelled to do, and another poor man, for ſelling three penny-worth of hay for his horſe.

The *Taunton* virgins who flouriſhed colours for *Monmouth*, were forced to buy their pardons at very conſiderable ſums.—How would the *Edinburgh* ladies, who wore white cockades, and flouriſhed their white handkerchiefs, on reading the preten- der's manifeſto, reliſh treatment of that kind?— And yet how are acts of gentleneſs and mercy abuſed!

Compare the above little narrative with the con- duct of the preſent government: — Think on the murders at *Preſton-pans*, and *Falkirk*; the riſings, with no probable view on earth, but to aſſiſt the *French*, the declared enemies of *Great Britain*; and ſheathing their ſwords in the bowels of their inno- cent, unſuſpecting countrymen; think on the rob- beries, the devaſtations, the ruin of families, the hardſhips of the poor, and the additional expences to the nation; think likewiſe, that the government had 1400 of theſe rebels in cuſtody, and yet they have tried only officers, or ring-leaders; and of theſe not ſixty have been executed in different parts of the nation. — Was there ever ſuch mildneſs, and ſuch provocation! Have not unſuſpected witneſſes; wit- neſſes, they could not challenge in their laſt mo- ment, been made uſe of, juries of freeholders, and

all challenges admitted, and the trials carried on with ſuch decency, that no age can ſhew the like. No reſentment, no reproaches, no inſulting their misfortunes, no tampering with jury or evidences, no refuſing exculpatory proofs, but the higheſt regard to law and juſtice; but I ſhall be fuller by and by on this head.

I have oft heard with abhorrence, of the pretended cruelty of the royal army at *Culloden*, but why theſe gentlemen talk ſo, or on what grounds is not eaſy to imagine; the rebel priſoners could not know. The run-away rebels could not know; and which of the army, or its attendants, have ſaid ſo.—But if no quarter was given, whence came it that the government had 1400 rebels in their poſſeſſion; was to preſerve ſuch a number from the rage of a juſtly incenſed army, and to leave them to the laws of their country, murder. (in my lord *Balmerino*'s Phraſe). —But though they had mercy at *Culloden*; I'm ſure, the rebels ſhewed none at *Preſton-Pans*; the poor ſoldiers, after they had thrown down their arms, and on their knees imploring mercy, were cruelly cut to pieces, and as appears by *affidavit*, on the trial of major *Mac Donald* at *Carliſle*, when the duke of *Perth* was endeavouring to ſtay the effuſion of ſo much blood, they called out 'Demn them, let us kill them now, or 'we ſhall have it to do at another time, and give us 'double trouble.

And let us now recapitulate the whole; only recollect with what abundance, nay ſuperfluity, have the rebels been ſupply'd ſince they were forced to ſubmit themſelves to mercy, and ſurrender to ſuperior power. With what tenderneſs and humanity have they been treated during the whole time of their confinement, though taken in open rebellion, their ſwords in their hands, yet hot and reeking with the blood of our deareſt friends and neighbours? What

liberty

liberty have they been denied, that was conſiſtent with the ſecurity of the ſtate; or what friends or councellors refuſed acceſs, whom they deſired neither to adminiſter them comfort in their confinement, or council for their defence? At their arraignment and trials, what candour and lenity was ſhewn them in every act, circumſtance of time, and place, and perſons? No intimidating, brow-beating, or defaming their evidences; no miſconſtruction or miſinterpreting their words or meaning: Where a ſhadow or ray of excuſe or extenuation appeared in their behalf, it was conſtantly allowed them, and all ſeeming doubts in the law, interpreted in their favour.

With what unheard of, and unparalleled caution, lenity, and condeſcenſion did that moſt auguſt aſſembly of the lords, proceed to the trials of their deluded, tranſgreſſing fellow-peers?

When only a mere feint, or quibble, or evaſion was argued in defence of any of the arraigned rebel lords, with what ready compliance, and laudable compaſſion did they condeſcend to his requeſt, and allowed him what time, and advice he deſired, to enable him to juſtify himſelf? With what humanity, tenderneſs, and compaſſion, did the judges always exhort and adviſe the priſoners, not to deprive themſelves of the benefit and protection of the laws of their country, by *pleading guilty*, if they had any thing to offer in their juſtification? With what unexampled patience, did the judges attend the trials of every, the meaneſt perſon amongſt them? How glad were they to find any of them *pleading not guilty*, thereby rejoycing, in hopes that he could make it appear he really was ſo?

How eagerly did they embrace every opportunity to countenance, encourage, and embolden the priſoners? Nay, in every circumſtance of their proceeding, they appeared ſo exact and ſcrupulous, as if they had been ſent on purpoſe, rather to clear,

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than condemn their priſoners: And when their office obliged them to pronounce the heavy ſentence of condemnation paſt upon them, by the unanimous voice of their injured country; what concern, I had almoſt ſaid uneaſineſs, did they ſeem to expreſs it; in ſuch moving and affectionate language, that drew tears from every eye; like tender parents bemoaning the unhappy fate of their deluded children!

Such mildneſs and moderation, ſhewn to men under their circumſtances, is perhaps unprecedented in any reign, except that of his ſacred majeſty's moſt gracious father, or unknown to any nation except that of our own.

Unhappy deluded countrymen, your eyes are now opened; but alas too late for your own ſafety! What enchantment could ſo bewitch you, as to be ſeduced from the allegiance of ſo gracious, ſo good a ſovereign, in whom, virtue is hereditary, and who is ambitious of nothing but to gain the hearts, and promote the happineſs of all his ſubjects? When your error or infatuation led you at firſt to take up rebellious arms: How willing did he appear to recover you from your fatal miſtake, rather by way of mildneſs than acts of force, offering full pardon and forgiveneſs to all that would quit his, and his country's foes, and return to their dutiful ſworn obedience.

He then condeſcended to intreat you ſeriouſly to conſider, what ſhadow of grievance he had laid you under, or what foundation you could pretend to have for a rebellion againſt him: He was ſo confident of his own uprightneſs and innocence, that he challenged rebellion itſelf, to produce one ſingle inſtance, wherein he had not made the laws of the land his ſtandard or rule of government*. Though this was unanſwered, nay unanſwerable, though known to all his kingdoms, yet ſo begotted, or bewitched were you, that you then diſbelieved or

* *Vide*, King's ſpeech *October* 17, 1745.

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diſregarded it, but are now too fatally convinced of its truth, even in your very condemnations. Would your prejudices or paſſions, but have once given you time for cool and ſober reflections, you might ſoon have been convinced of that exceſs of happineſs you have enjoyed under the mild and happy adminiſtration of his preſent majeſty's reign, and the factious, turbulent, and unſafe adminiſtrations of the ſuppoſed anceſtors of that *licentious out-law*, that enſnared you to your own deſtruction.

Let the tyrannical, ſhort reign of king *James* II. teach you how to value, and be loyal to a merciful and juſt prince: What law of the land was ever the rule of his government; or rather was not his government one continued diſregard or breach of all the moſt fundamental laws of the land? Nay, did he not deſpiſe the laws? Did he not procure a wicked and abandoned ſet of judges to declare him and his government uncontroulable by the laws, or any power of the land? Was not his whole reign, one continued ſcene of violence, oppreſſion, and tyranny? Did he aim at any thing, but to enſlave his kingdoms, and render himſelf abſolute? What peer or peaſant eſcaped with impunity, that had the virtue or courage to oppoſe him or his arbitrary officers? Nay, the prelates and paſtors of the church, whoſe function, not only procured them ſafety, but veneration from the very heathens; were attacked, impriſoned and vilified, becauſe they refuſed to act illegally at his command.

The courts of judicature, intended for the execution of juſtice, and preſervation of property, were converted into lawleſs inquiſitions and tribunals of tyrannous perſecution.

The law, which ought to have been every man's ſafe-guard and protection, was now only made uſe of as a ſcourge to puniſh thoſe that had courage enough to ſtand up in defence of his own rights and

privileges,

privileges, or to enſlave thoſe who durſt be ſtubborn enough to countenance the honeſt and virtuous.

His malice and revenge were ſatisfied by the ſame illegal methods: After *Monmouth*'s defeat, with what greedineſs and delight did he let looſe his ſavageneſs and cruelty: His bloody and inhuman chief juſtice *Jefferies*, attended by as mercileſs a general, with a train of the moſt barbarous and abandoned ruffians that the whole army afforded, went (in the manner of conquerors) as it were intimating their intentions of death and deſtruction, intimidating and brow-beating any evidences that durſt appear in behalf of the priſoners; threatening the juries with proſecutions and penalties, if they attempted to acquit any one, though his innocence appeared ever ſo clearly.

Then, to compleat the cruelty, new devices of puniſhment were contrived to render their deaths more lingring and painful, and every circumſtance that could contribute to cloath death in the moſt frightful and uneaſy ſhape, was put in practice to increaſe the horror and torment of theſe unhappy wretches.

Compare now, my deluded countrymen, the behaviour of this your favaurite king, to whom, and whoſe poſterity you have adhered with unparalleled madneſs, and who has been your bane and curſe;

Compare this, I ſay, with the treatment that you have experienced from the clemency of his moſt gracious majeſty: Here you are corrected with the gentleneſs of a father; and by the other, puniſhed with the ſavageneſs and ſeverity of a tyrant.

Their ſufferings and puniſhments were aggravated with the moſt piercing circumſtances of contumely and contempt: Yours are mitigated with all the pleaſing ingredients of pity and compaſſion.

Their rebellion, though in itſelf unjuſtifiable, yet was not altogether unprovoked; for they had then

begun to ſmart under great and grievous oppreſſions: An allevation of their crime, which cannot be urged in your favour; as indeed I am at a loſs to know what excuſe can: For beſides all other aggravations of your guilt, you have abuſed the mercy, and been ungrateful for the bounty and clemency ſhewn you, both in the late reign and in the preſent.

The cruel treatment that theſe kingdoms met with, during all the reigns of the *Stuart* family, ſhould, methinks, open your eyes more clearly, than any the moſt elaborate arguments can have power to do: Let any man of an unbiaſſed and diſpaſſionate temper, coolly read over, and candidly conſider the numerous acts of violence and oppreſſions, exerciſed upon your liberties and conſciences, during the reigns of *James* I. *Charles* I. and II. and *James* II. and he may there meet with ſuch various infringements of the laws and liberties, ſuch perſecutions of the church, and ſuch impoſitions and innovations in religion, as were ſufficient to raiſe the indignation of the moſt paſſive, and turn away the love and affection of the moſt loyal and perſevering.

And that theſe were all eſteemed infringments of your rights and liberties, and violations of the church and conſtitution is evident from the conſtant clamours and complaints againſt them at this time, as well as repeated petitions and requeſts to have them redreſt. Nay, to ſuch an intolerable heighth, did their continued oppreſſions at laſt riſe, that our anceſtors thought themſelves juſtified in taking up arms againſt *Charles* I. by much the beſt of his family, in order to procure that redreſs by force, which had been refuſed by intreaty.

Such was the conduct, ſuch was the ſenſe, of your wiſe and renowned forefathers. But alas! how widely different has been the ſentiments and conſtant practice of ſome of their deluded poſterity!

The affection which the *Scots* expreſs'd for the reſtoration of *Charles* the ſecond, might have well made them think that ſome acknowledgment was due, in point of gratitude, had that king been under no other obligation.

But he was not only bound by the tye of an indiſpenſible gratitude, but alſo under the firmeſt engagement of a moſt ſacred oath, to protect and maintain the church of *Scotland* in all her rights, privileges, and immunities whatſoever.

Here it is natural to ſuppoſe, that they had more than a common right to claim their ſovereign's protection, accompanied too with ſome additional privileges and immunities, in return of former loyalty and zeal. But alas! how deceitful are human expectations, built on the ſandy foundation of the promiſe of an ungrateful man!

No ſooner did *Charles* find himſelf ſecurely ſeated in the throne of his fore-fathers, than he began to put in practice their oppreſſive maxims: *Scotland* was the firſt that felt the effects of his projected malice. Oaths, obligations, gratitude, were all now forgot; new perſecutions were renew'd, and oppreſſions abounded more than ever. Nor did perſecution, or at leaſt what your fore-fathers term'd ſo, ever after ceaſe its rage, till the memorable expulſion of that unfortunate and deteſted family.

From this picture of the *Stuart* family, which falls much ſhort of their violations and oppreſſions, I think no man can ſatisfy me, much leſs a *Scotsman*, with any convincing reaſons, why they ſhould be

be ſo violently attach'd to the deſperate fortunes of its poſterity, when they have ſuffer'd ſo ſeverely by the impoſitions of its anceſtors.

Herein they run counter, not only to the ſenſe of their fore-fathers, but alſo to the very principles of ſelf-preſervation.

To ſlight and deſpiſe the continued favours and benefactions of their loving and true friend, daily ſhower'd upon them; and to love and eſteem their open avow'd enemy, who never ceas'd oppreſſing and devouring them; gratitude muſt be aſham'd of ſo prepoſterous a conduct, and common ſenſe muſt bluſh at ſuch an indiſcreet behaviour.

Aſk now thy anceſtors, and they will tell thee; enquire of thy neighbours, and they will inform thee, that from the firſt appearance of the houſe of *Stuart*, to the total expulſion thereof, they have been the bane and curſe of *Great Britain*, the ruin of her nobility, and the deſtruction of her commons and gentry.

Can men be ſo blind, ſo bigotted, ſo infatuated, as to continue their fidelity and affection to an abandon'd, exil'd family, who, in the meridian of their power, and fullneſs of their fortune, never ceas'd to vex and torment them with repeated infringements of their liberties, and continual violation of their moſt ſacred rights and privileges.

What hath bewitched unhappy rebels thus to overlook and neglect their true friends, intereſts, and benefactors, which, in all other inſtances, men are ſo careful to court and cultivate?

And what is this family to which you devote yourſelves: Their original was *Banquo*, copartner with *Macbeth* in the murder of the good king *Duncan*. This race have been moſtly remarkable for misfortunes and tyranny alone. *David*, prince of *Scotland*, was famiſh'd to death in a dungeon. His

brother *James* was murder'd. *James* the ſecond was kill'd at *Roxburgh*; *James* the third was ſlain at *Banockburn*, in a mill, his own ſon fighting againſt him; *James* the fourth either fell at *Flowden*, or was murdered by the *Humes*; *James* the fifth died of grief; *Mary*, queen of *Scots*, loſt her head in *England*: *James* the ſixth of *Scotland*, and the firſt of *England*, died not without ſuſpicion of poiſon: *Charles* the firſt died on a ſcaffold: *Charles* the ſecond had violent marks of poiſon on his body: *James* the ſeventh, and ſecond, died in exile among monks and friars.

And, to conclude, I will give a few anecdotes of the Pretender and his ſon, from which, if ever the Almighty, to puniſh this nation, ſhould ſuffer them to uſurp, you may judge what government you would have.

In 1715 the Pretender publiſhed a manifeſto; but, to ſhew his regard to law, he openly profeſs'd popery; and, to ſhew alſo he inherited the true ſpirit of the *Stuarts*, the only evidence of his legitimacy, he burnt the towns of *Auchterarder* and *Duning*, turn'd the inhabitants, in a ſevere froſt, naked out of their own habitations, without diſtinction of old, young, or ſick: Women in child-bed were thruſt from their beds to lie on the ſnow and ice; and, as to the neceſſity of this barbarity, it was thought proper, for a bribe, to ſave two houſes, one in *Auchterarder*, belonging to *James Drummond*; and another in *Duning*, the property of one *Keltie*. As to his royal word, he gave it to the unfortunate noblemen, and who had engag'd in his cauſe, that he would not leave them; and yet he ſlipt off at *Montroſe*, and left them to eſcape the beſt way they could.

In 1745, his ſon ſeem'd to exceed every thing in fine promiſes, ſmooth language, and deep deceit;

ceit; by which he drew many to join his party: But how well he governed, or what was to be expected from his government, let the following freſh inſtances tell. He impoſed exorbitant contributions on *Perth*, *Edinburgh*, *Glaſgow*, and *Dumfries*; he ſent parties to rob, which he called contribution-money; they rob'd Mr. *Hepburn*, of *Kingſton* in *Eaſt Lothian*, of 800*l.* in ſpecie.—The farmers had their horſes forced away.—Againſt law, and, contrary to his own declaration, he impriſon'd, and arbitrarily put to death two at *Edinburgh*, and one at *Ruthven* in *Badenoch*.—He iſſued orders to exact from ſeveral gentlemen in one county the following ſums: Sir *George Preſton* 300*l.* *Walter Groſſet*, Eſq; who had been remarkably zealous in the king's ſervice, 300*l.* This gentleman they diſtreſs'd, by carrying off his horſes, cattle, and rents of his eſtate; but, not contented with that rapine, they impos'd the above contribution, which he reſolutely refuſed to pay, and made them know, it was no difficult matter to make repriſals from their ſecretary's eſtate, and lord *Elcho*'s; which had ſuch a good effect, that the other gentlemen would not advance them a farthing. Mr. *Welwood*, 250*l.* Mr. *Cuningham*, 250*l.* *Charles Cochran*, 200*l.* Sir *Robert Henderſon*, Meſſrs *Blackwood* and *Erſkine*, 130*l.* each; Meſſrs *Colvil* and *Dundaſs*, 100*l.* Meſſrs *Welwood* and *Black*, 50*l.* each. In the county of *Aberdeen*, that tyrant lord *Lewis Gordon*, and his infamous agent *Moir* of *Stoneywood*, exacted above 12000*l.* All orders were under pain of military execution; houſes were burnt, cattle driven off, and poor people forced to join his ſtandard. The only plea which the *Jacobites*, hunted from every other receſs, make uſe of, is the extraordinary merit of the young Pretender; they tell you, he commanded all hearts by his majeſtick appearance; and his worth is well

atteſted

atteſted by the certificates publiſhed, in their *Lying Mercury* in *Scotland*. As to merit, by an outward appearance, I know not wherein it conſiſts: Let the above inſtances of his tyrannical government witneſs, if a graceful perſonage be the characteriſtic of virtue, or a friend to freedom; and, as to the certificates, I'm ſurprized they had aſſurance to renew ſuch a ſtale trick. His pretended grandfather, whoſe arbitrary reign entail'd miſery on his family, made uſe of the very ſame device.—When he was in *Scotland*, in 1682, and had rul'd with a rod of iron, as the young chevalier did in 1745 and 46, on his return to court, he procured certificates of his attatchment to the proteſtant church (tho' himſelf a papiſt) and they were publiſhed in the common gazettes, with proper prefaces: But, leſt the reader ſhould in the leaſt ſuſpect that I impoſe on his underſtanding, I ſhall tranſcribe one of them, dated *Edinburgh*, *March* 9, 1682. and publiſhed at *London*, *April* 28, there after. It is a letter from the moſt reverend the biſhops in *Scotland* to his grace of *Canterbury*; and runs thus:

May it pleaſe your Grace,

" His royal highneſs having parted from hence " on *Monday* laſt, being called by the king to at- " tend his majeſty at *New Market*, we ſhould prove " very defective in duty and gratitude, if, upon " this occaſion, we ſhould forget to acknowledge to " your grace, how much this poor church, and our " order, do owe to his princely care and goodneſs; " that his majeſty, and the worthy biſhops of *Eng- " land*, may from you receive the juſt account " thereof.

" Since his royal highneſs's coming to this king- " dom, we find our caſe much chang'd to the " better, and our church and order, which, thro'

" the cunning and power of their adverſaries, were
" expoſed to extreme hazard and contempt, ſenſi-
" bly reliev'd and reſcu'd; which, next to the
" watchful providence of God, that mercifully ſu-
" peritends his church, we can aſcribe to no-
" thing ſo much as to his royal highneſs's *gracious*
" *owning* and *vigilant protection* of us.

" Upon all occaſions, he gives freſh inſtances of
" his eminent zeal againſt the moſt unreaſonable
" ſchiſm, which, by renting, threatens the ſubver-
" ſion of our church and religion; and concerns
" himſelf as a patron to us in all our public and
" even perſonal intereſts; ſo that all men take no-
" tice of his ſignal kindneſs to us, and obſerve, that
" he looks upon the enemies of the church, as ad-
" verſaries to the monarchy itſelf; nor did we ever
" propoſe to offer to his royal highneſs any rational
" expedient, which might conduce to the relief or
" ſecurity of the church, which he did not readily
" embrace and effectuate.

" The peace and tranquility of this kingdom
" is the effect of his prudent and ſteady conduct of
" affairs, and the humours of our wicked fanaticks
" are much reſtrain'd, from different eruptions,
" upon the apprehenſions of his vigilance and ju-
" ſtice; for they dread nothing ſo much, as to ſee
" him at the head of his majeſty's councils and
" forces againſt them. We hope your grace will
" make our dutiful acknowledgments to his royal
" highneſs for all his princely favours to us, and
" give him the moſt firm aſſurances of our ſincere
" endeavours to ſerve him, and of our moſt fervent
" prayers for his temporal and eternal happi-
" neſs, *&c.*"

By this it appears, that the boaſted certificates of the young Pretender's merit, is only the renewal of

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an old device, render'd infamous by the notoriety of its lies: And as his ſuppoſed grandfather procured them from a proteſtant clergy, and governors of a church which he hated, and made his buſineſs to ruin and ſubvert, we need not be far to ſeek, if we conclude, that as like cauſes produce the like effects, ſo the grandfather, a zealous papiſt, the grandſon of the ſame religion, would have purſued the ſame meaſures; and it will amount to a demonſtration, if the concluſion of a pamphlet, publiſhed by the rebels authority, be look'd at, which ends with this remarkable paragraph: "Who would not "wiſh to ſee *Great Britain* in the ſame happy ſtate "in which king *James* left it." That is, its laws reverſed, arbitrary power introduced, popery eſtabliſhed, or faſt eſtabliſhing. Reader, can you reflect on the ſcene of miſery which ſo lately threatened this happy iſland, without abhorrence? Theſe are they, oh *Britons!* who would govern you; and the above, a ſpecimen of their government.

What only remains is to obſerve, the little reaſon the *Jacobites* have to exclaim at any part of the government's conduct; it has been juſt, mild, and agreeable to law; even that law, which they have dignified by the name of perſecution, the act relating to non-juring miniſters, will, to every thinking perſon, appear highly reaſonable, as their meettings were nurſeries of rebellion, and themſelves never tolerated: But, to make this entirely convincing, I will tranſcribe one petition of their new litany, which compoſes their private devotions.

"Reſtore us again the public worſhip of thy "name; the reverend adminiſtration of thy ſa"craments: Raiſe up the former governor both "in church and ſtate; that we may be no longer "without king, without prieſt, without God in "the world, *&c.*"

And

And in their public worſhip, during the time that the pretender's ſon was in *Edinburgh*, they pray'd for the king, as their moſt gracious King and *Governor*; but, on the officers of ſtate's return, and taking on them the government of the place, they omitted the word GOVERNOR entirely; which ſufficiently ſhews, they were determin'd enemies to king *George*, and our happy conſtitution.

I obſerv'd before, that the infamous *Jefferies*, and his agents, ſold pardons, from 20*l.* to 12,000*l.* The women, and even boys, were oblig'd to compound, by their huſbands and parents, and in ſuch a ſhape, that it became a laſting reproach to a proteſtant and free nation. Compare this with the conduct of the GENTLEMEN entruſted by his royal highneſs the DUKE to viſit the Goals, examine the priſoners, and report their ſhare in the late rebellion. That gentleman, whom his Majeſty has lately dignified with the office of advocate-general and judge-martial of the forces in *Scotland*, went through the whole goals, and behav'd with ſuch candour, humanity, and good nature, join'd to the ſtricteſt fidelity, that he gain'd the eſteem of his enemies, and the thanks of his royal highneſs; no bribes, no inſults, but a juſt enquiry into the nature of their crime, and degree of guilt; and, when little or nothing appear'd, they were releaſed with a humane pleaſure, that he had it in his power to do good, by bringing innocence to light, amidſt the multitude of the guilty.

Nor can I fail to obſerve the ſame humanity in the GENTLEMEN, *viz. Henry Maſterman*, Eſq; ſecondary in the crown-office, in the court of king's-bench, and the king's clerk of the crown in that court, and *Richard Wright*, Eſq; of *Staple-Inn*, attorney at law, who were commiſſion'd to examine the rebels in the jails thro' *England*; their diſintereſted concern for their country appeared in every

ſenſe, and their lenity by a compaſſionate tenderneſs for the unhappy, who were either forced or ſeduced from their allegiance. Future ages will admire the mercy of his Majeſty, and the fidelity of thoſe he entruſted, who, amidſt the horrors of civil rage and cruel rebellion, entertain'd ſuch ſentiments of kindneſs, gentleneſs, and good-nature to rebels, nay, to rebels taken with their ſwords yet reeking and hot with the blood of loyal ſubjects.

Let any *Jacobite*, let any *Frenchman*, let the diſaffected unite, and produce one inſtance of ſuch clemency during the reigns of the *Stuart* family, either in *England* or *Scotland*, thro' a ſeries of 400 years.—Under the government of the one, you find pick'd judges, bullying juries, and the meaneſt wretches hurried to inhuman execution in a moment, without the ſhadow of any evidence that could convict even a dog.—Here you ſee the ſeeming innocent liberated, the guilty low ſlaves tranſported, the ringleaders brought to a free, fair, and open trial: the JUDGES, with a Humanity next to the merciful character of DIVINITY giving the charge, refuſing no Plea, and, at the ſame time, adhering with that grand inflexibility, which becomes the great and the good, to the laws of old *England*.

To enumerate further is needleſs; the thinking will be convinced; and, as to others, conviction from them is not expected.

F I N I S.